



# TSWELOPELE

LOCAL MUNICIPALITY

A MUNICIPALITY IN PROGRESS

## DELEGATION SYSTEM AND REGISTER OF DELEGATED POWERS

REVIEWED IN MAY 2016

## DELEGATION POLICY AND DELEGATION OF POWERS

The Delegation system adopted by Municipality is in accordance of the legislative framework contained herein. It will be reviewed with change to legislation, change to organisational structure, after election of new councillors or appointment of new municipal manager depending with the case. They will be reviewed on an annual basis or whenever it is necessary to do so.

### Constitution of the Republic of South Africa 1996

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
6	Determination of a language policy for the Municipality	Council	None	1. Subject to receiving and considering a report and recommendations from	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
				the Executive Committee 2. Taking into account the language preferences and usage in the municipal area	
23(3)	Forming/ joining an employer's organisation	Council	None	Subject to receiving and considering a report of the Executive Committee	
25(2)	Expropriation of property	Council	Executive Committee	Subject to the relevant provisions of the Local Government Ordinance and the Expropriation Act	
25(3)	Determining the amount of compensation payable for expropriated property	Council	Executive Committee	Subject to the relevant provisions of the Local Government Ordinance and the Expropriation Act	
43(c)	Exercising the Municipality's legislative power	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
99	Concluding an agreement with a Cabinet member to receive a function or power assigned to the Municipality	Council	Executive Committee	1. Subject to the agreement having been approved by the Council 2. The Council may only approve the agreement after receiving and considering a report and recommendations from the Executive Committee	
126	Concluding an agreement with a member of the Executive Council to receive a function or power assigned to the Municipality	Council	Executive Committee	1. Subject to the agreement having been approved by the Council 2. The Council may only approve the agreement after receiving and considering a report and recommendations from the Executive Committee	
139	Considering a directive issued by the provincial government pursuant to the Municipality failing to fulfil an executive obligation in terms of legislation	Council	None	Subject to receiving and considering a report of the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
152	Deciding the actions that must be taken to achieve the objects of local government	Council	None	Subject to receiving and considering a report of the Executive Committee	
153	Deciding on the structure and management of the Municipality's administration and budgeting and planning processes to give priority to the basic needs of the community and to promote the social and economic development of the community	Council	Municipal Manager	<ol style="list-style-type: none"> <li>1. Subject to a policy framework determined by the Council</li> <li>2. Such policy framework to be determined after receiving and considering a report and recommendations from the Executive Committee</li> </ol>	
153	Deciding on the nature and scope of the Municipality's participation in national and provincial development programmes	Council	Executive Committee		
154(2)	Making representations regarding draft legislation affecting the status, institutions, powers or functions of local government	Council	None	Subject to receiving and considering a report from the Executive Committee	
156(1)	Deciding which of the local government matters assigned to the Municipality must be performed	Council	None	Subject to receiving and considering a report from the Executive Committee	
156(4)	Concluding an agreement for the assignment of a matter to the Municipality by the national or provincial government	Council	Mayor	<ol style="list-style-type: none"> <li>1. Subject to the agreement having been approved by the Council</li> <li>2. The Council may only approve the agreement after receiving and considering a report and recommendations from the Executive Committee</li> </ol>	
160(1)(b)	Electing a chairperson (speaker)	Council	None	None	
160(1)(c)	Electing committees	Council	None	<p>In the case of a-</p> <p>▲ section 79-committee, after receiving the report and</p>	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
				recommendations of the Speaker ▲ section 80 and advisory committees in terms of section 17(4) of the Systems Act, subject to receiving and considering a report and recommendations from the Executive Committee	
160(6)	Making bylaws that prescribe rules and orders	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
160(7)	Deciding to close a meeting of the Council or those of its committees	Council	The Councillor/ person presiding at the meeting concerned at the time the motion to close the meeting concerned is made	Taking into account the reasonableness of the motion having regard to the nature of the business being transacted	
163	Deciding to become and remain a member of an organisation representing Municipalities	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
195(4)	Deciding whether to appoint a number of persons on policy considerations	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
217	Determining a procurement system that is fair, equitable, transparent, competitive and cost-effective when it contracts for goods or services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
227(1)	Deciding on the allocation of the equitable share of revenue raised nationally accruing to the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
229(1)	Imposing surcharges on fees for services provided by or on behalf	Council	None	Subject to receiving and considering a report and recommendations from the	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	of the Municipality and, to the extent authorised by national legislation, other taxes, levies and duties appropriate to local government or to the category of local government into which the Municipality falls			Executive Committee in the form of a draft annual budget or adjustments budget	
229(4)	Deciding to share revenue raised by the Municipality with municipalities that have fiscal power and functions in the Municipality's area, i.e. Northern Free State district municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee in the form of a draft annual budget or adjustments budget	
230	Deciding to raise loans for capital or current expenditure	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

**Local Government: Municipal Demarcation Act 1998 (Act No 27 of 1998)**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions</b>	<b>Sub-delegate</b>
21(4)	Submitting an objection regarding the determination or redetermination of the Municipality's boundaries to the Demarcation Board	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
26(3)	Considering a written invitation by the Demarcation Board to make representations regarding the intended demarcation of the Municipality's boundaries	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

## Local Government: Municipal Structures Act 1998 (Act No 117 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
12(4)	Participating in any consultations regarding the establishment of a municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
15	Reviewing and rationalising the by-laws, regulations and resolutions (including standing delegations) of the preceding municipalities that binds the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
16(3)	Participating in any consultation regarding an amendment to the notice establishing the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
18(4)	Designating Councillors determined by the MEC for local government to be full-time Councillors	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
19(2)	Annually reviewing the needs of the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee in the form of an integrated development plan or a proposed amendment thereto	
19(2)	Annually reviewing of the Municipality's priorities to meet the needs of the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee in the form of an integrated development plan or a proposed amendment thereto	
19(2)	Annually reviewing of the Municipality's processes for involving the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
19(2)	Annually reviewing of the Municipality's organisational and delivery mechanisms for meeting the needs of the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
	Annually reviewing of the	Council	None	Subject to receiving and considering a	



Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
19(2)	Municipality's overall performance in achieving the objects of local government set out in the Constitution			report and recommendations from the Executive Committee	
19(3)	Developing mechanisms to consult the community and community organisations in performing the Municipality's functions and exercising its powers	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
23(4)	Appointing the Municipality's representatives in the district council	Council	None	Within 14 days after the result of the election of the Council has been declared	
25(3)	Calling and setting a date for a by-election	Municipal Manager	None	None	
26(1)(b)	Replacing a representative in the district council as a result of item 6(a) of Schedule 6A to the Constitution	Council	None	None	
27(e)	Recalling and replacing the Council's representative in the district council	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
29(1)	Deciding when and where the Council meets	Speaker	None	None	
29(1)	Convening special Council meetings at a place and time set out in a request received in terms of section 29(1) of the Structures Act	Speaker	None	None	
29(2)	Determining the time, date and place of the first Council meeting after a Council has been declared elected	Municipal Manager	None	None	
30(4)	Casting a casting vote when there is an equality of votes	Councillor presiding at a meeting	None	None	
	Submitting the report and	Executive	Mayor	None	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
30(5)	<p>recommendation of the Executive Committee before the Council considers-</p> <ul style="list-style-type: none"> <li>any matter mentioned in section 160 (2) of the Constitution;</li> <li>the approval of an integrated development plan for the Municipality, and any amendment to that plan; and</li> <li>the appointment and conditions of service of the Municipal Manager and a head of a department of the Municipality.</li> </ul>	Committee			
33	Determining whether the establishment of a particular committee is necessary	Council	None	<p>In the case of a-</p> <ul style="list-style-type: none"> <li>section 79-committee, after receiving the report and recommendations of the Speaker</li> <li>section 80 and advisory committees in terms of section 17(4) of the Systems Act, subject to receiving and considering a report and recommendations from the Executive Committee</li> </ul>	
34	Deciding to dissolve the Council	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
36(2)	Electing a Speaker to fill a vacancy in the position of Speaker	Council	None	None	
40	Deciding to remove the Speaker from office	Council	None	Provided that notice of the motion to remove the Speaker has been given to all Councillors	
41	Electing an acting Speaker	Council	None	None	
42(2)	Deciding to have an Executive Committee	Council	None	Subject to receiving a report from the Municipal Manager	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
43(1)	Determining the number of members of the Executive Committee	Council	None	Subject to receiving a report from the Municipal Manager	
43(3)	Determining an alternative mechanism for the election of the members of the Executive Committee	Council	None	Subject to receiving a report from the Municipal Manager	
44(1)(b)	Receiving reports from committees and forwarding such reports together with a recommendation to the Council when the matter cannot be disposed of by the Executive Committee in terms of its delegated powers	Executive Committee	None	None	
44(2)(a)	Identifying the needs of the Municipality	Executive Committee	None		
44(2)(b)	Reviewing and evaluating the identified needs of the Municipality in order of priority	Executive Committee	None		
44(2)(c)	Recommending to the Council strategies, programmes and services to address priority needs through the integrated development plan and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans	Executive Committee	None		
44(2)(d)	Recommending or determining the best way, including partnership and other approaches, to deliver the strategies, programmes and services that were recommended to the maximum benefit of the community	Executive Committee	None		
44(3)(a)	Identifying and developing criteria in terms of which progress in the	Executive Committee	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	implementation of the strategies, programmes and services can be evaluated, including key performance indicators which are specific to the Municipality and common to local government in general				
44(3)(b)	Evaluating progress against the key performance indicators determined by the Council	Executive Committee	None		
44(3)(c)	Reviewing the performance of the Municipality in order to improve the economy, efficiency and effectiveness of the municipality; the efficiency of credit control and revenue and debt collection services and the implementation of the Municipality's by-laws	Executive Committee	None		
44(3)(d)	Monitoring the management of the Municipality's administration in accordance with the directions of the Council	Executive Committee	None		
44(3)(e)	Overseeing the provision of services to communities in a sustainable manner	Executive Committee	None		
44(3)(g)	Annual reporting on the involvement of communities and community organisations in the affairs of the Municipality	Executive Committee	None		
44(3)(h)	Ensuring that regard is given to public views and report on the effect of consultation on the decisions of the Council	Executive Committee	None		
46	Filling a vacancy arising in the	Council	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	Executive Committee				
48(1)	Electing a member of the Executive Committee as the Mayor	Council	None		
49(1)(a)	Presiding at meetings of the Executive Committee	Mayor	None		
49(1)(b)	Determining the ceremonial functions to be delegated to the Mayor	Council	None		
49(3)(a)	Designating a member of the Executive Committee to act as Mayor if the Mayor is absent or unavailable	Mayor	None		
49(3)(b)	Electing a member of the Executive Committee as acting Mayor	Executive Committee	None	If the Mayor has not designated an acting Mayor or the person so designated is absent or unavailable	
50(1)	Deciding the date, time and venue of Executive Committee meetings	Mayor	None		
50(2)	Electing a member of the Executive Committee who is present at a meeting, to preside at the meeting if the Mayor is absent	Members of the Executive Committee present at the meeting	None	Provided the members present form a quorum	
51	Determining the procedures of the Executive Committee	Executive Committee	None	1. The decision establishing such procedures must be taken with a supporting vote of the majority of the number of members of the Executive Committee 2. Such procedures are subject to the directions and rules and orders made by the Council	
52(3)	Exercising a casting vote on any question before the executive Committee when there is an equality of votes	Member presiding at the time a casting vote is required	None		
53(1)	Deciding to remove one or more	Council	None	Prior notice of an intention to move a	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	members of the Executive Committee from office			motion for the removal of members must be given	
72(2)	Deciding to implement a ward committee system	Council	None	After receiving a report and recommendations of the Speaker	
73(2)(b)	Determining the number of members of a ward committee	Council	Executive Committee		
73(3)	Making rules regarding the procedures to elect members of ward committees, the circumstances under which those members must vacate office and the frequency of meetings of ward committees	Council	None		
74	Deciding which powers to delegate to a ward committee	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	
78	Dissolving a ward committee	Council	None	Only if the committee fails to fulfil its object	
79(1)(a)	Establishing committees	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	
79(1)(b)	Appointing members of committees	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	
79(1)(c)	Dissolving committees	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	
79(2)(a)	Determining the functions of a committee	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	
79(2)(b)	Appointing the chairperson of a committee	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	
79(2)(c)	Authorising a committee to co-opt advisory members who are not	Council	None	Subject to receiving and considering a report and recommendations from the	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	members of the Council and setting limits on such co-option			Speaker	
79(2)(d)	Removing a member of a committee	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	
79(2)(e)	Determining a committee's procedures	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	
80(1)	Appointing committees to assist the Executive Committee	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
80(2)(a)	Appointing the chairperson of a section 80 committee	Executive Committee	None	None	
80(2)(b)	Delegating powers of the Executive Committee to a section 80 committee	Executive Committee	None	None	
80(2)(d)	Varying or revoking decisions of a section 80 committee	Executive Committee	None	None	
82(1)	Determining the suitable qualifications of a person to be appointed as Municipal Manager	Council	Council	Subject to receiving and considering a report and recommendations from the Executive Committee	
82(1)	Appointing a Municipal Manager	Council	Council	None	
82(2)	Appointing an acting Municipal Manager	Council	When the position of Municipal Manager is vacant, the Council During the temporary absence of the Municipal Manager from office, the Municipal Manager		
87(2)	Deciding whether to object to the temporary assignment of a functional	Council	None	Subject to receiving and considering a report and recommendations from the	

Delegated powers  
Tswelopele Local Municipality

---

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	competency of another municipality to the Municipality			Executive Committee	
88(1)	Deciding on the nature and scope of the assistance to be provided to another Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
88(2)	Deciding to request another Municipality for financial, technical and administrative assistance	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	



### Local Government: Municipal Systems Act 2000 (Act No 32 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
4(2)(e)	Determining processes, mechanisms and procedures for consulting the community about the level, quality, range and impact of municipal services provided by the Municipality, either directly or through another service provider and the available options for service delivery	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
4(2)(c)	Determining processes, mechanisms and procedures for encouraging the involvement of the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
4(2)(d)	Determining processes, mechanisms and procedures for ensuring that municipal services are provided to the community in a financially and environmentally sustainable manner	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
4(2)(h)	Determining processes, mechanisms and procedures for promoting gender equity in the exercise of the Municipality's executive and legislative authority	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
4(2)(j)	Determining the contribution to be made by the Municipality, together with other organs of state, to the progressive realisation of the fundamental rights contained in sections 24, 25, 26, 27 and 29 of the Constitution	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
5(1)(a)	Determining the processes, mechanisms and procedures for the community to contribute to the	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	decision-making processes of the Municipality and submit written or oral recommendations, representations and complaints to the Council or to another political structure or a political office bearer or the administration of the Municipality				
5(1)(b)	Determining the processes, mechanisms and procedures to provide to the community prompt responses to their written or oral communications, including complaints, to the Council or to another political structure or a political office bearer or the administration of the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
5(1)(c)	Determining the processes, mechanisms and procedures for informing the community of decisions of the Council, or another political structure or any political office bearer of the Municipality, affecting their rights, property and reasonable expectation	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
5(1)(d)	Determining the processes, mechanisms and procedures for regularly disclosing to the community to regular disclosure of the state of affairs of the Municipality, including its finances	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
5(1)(e)	Determining the processes, mechanisms and procedures through which the community may demand that the proceedings of the Council and those of its Mayors must be open to the public, conducted impartially and without prejudice and untainted by personal self-interest	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
6(2)(a)	Determining the processes, mechanisms and procedures for the administration to be responsive to the needs of the community	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	
6(2)(b)	Determining the processes, mechanisms and procedures for facilitating a culture of public service and accountability amongst staff	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	
6(2)(c)	Determining the processes, mechanisms and procedures for preventing corruption	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	
6(2)(d)	Determining the processes, mechanisms and procedures for establishing clear relationships, and facilitating co-operation and communication, between it and the community	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	
6(2)(e)	Determining the processes, mechanisms and procedures for giving members of the community full and accurate information about the level and standard of municipal services they are entitled to receive	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	
6(2)(f)	Determining the processes, mechanisms and procedures for informing the community how the	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	Municipality is managed, of the costs involved and the persons in charge				
11(2)	Entering into a written agreement with another municipality to exercise executive authority in the area of that other municipality	Council	Mayor	1. Subject to the agreement being approved by the Council 2. The Council may only approve the agreement after receiving and considering a report and recommendations from the Executive Committee	
13(a)	Determining a practical way to bring the contents of the by-law to the attention of the community	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
14(3)	Deciding whether to adopt a standard bylaw promulgated by the Minister for Provincial and Local Government or the MEC for local government, the extent of such adoption and any modifications and qualifications to such standard bylaw	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
15(1)	Compiling and maintaining in bound or loose-leaf form, and when feasible also in electronic format, a compilation of all the by-laws, including any provisions incorporated by reference as by-laws of the Municipality	Council	Manager Corporate Services	None	
15(3)	Determining a reasonable fee for a copy of or an extract from the municipal code of the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
16(1)(a)	Determining the processes, mechanisms and procedures for encouraging, and creating conditions for, the community to participate in the affairs of the Municipality,	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	including in the preparation, implementation and review of its integrated development plan, the establishment, implementation and review of its performance management system, the monitoring and review of its performance, including the outcomes and impact of such performance, the preparation of its budget and strategic decisions relating to the provision of municipal services				
16(1)(b)	Determining the processes, mechanisms and procedures for contributing to building the capacity of the community to enable it to participate in the affairs of the Municipality and Councillors and staff to foster community participation	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
16(1)(c)	Determining the annual allocation of funds in the budget, as may be appropriate for the purpose of implementing a culture of municipal governance that complements formal representative government with a system of participatory governance	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
17(2)(a)	Determining appropriate mechanisms, processes and procedures to enable the community for the receipt, processing and consideration of petitions and complaints lodged by	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	members of the community				
17(2)(b)	Determining appropriate mechanisms, processes and procedures for notification and public comment procedures, when appropriate	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
17(2)(c)	Determining appropriate mechanisms, processes and procedures for public meetings and hearings by the Council and other political structures and political office bearers of the Municipality, when appropriate	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
17(2)(d)	Determining appropriate mechanisms, processes and procedures for consultative sessions with locally recognised community organisations and, where appropriate, traditional authorities	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
17(2)(e)	Determining appropriate mechanisms, processes and procedures for report-back to the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
17(4)	Establishing and appointing the members of one or more advisory Mayors consisting of persons who are not Councillors to advise the Council on any matter within the Council's competence	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
18(1)	Determining appropriate mechanisms, processes and procedures for communicating to the community information concerning the available mechanisms,	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	processes and procedures to encourage and facilitate community participation, the matters with regard to which community participation is encouraged, the rights and duties of members of the community and municipal governance, management and development				
19(1)	Determining the manner in which the Municipal Manager must give notice to the public of the time, date and venue of every ordinary meeting of the Council and every special or urgent meeting of the Council, except when time constraints make this impossible	Council	Municipal Manager	None	
20(4)(b)	Determining reasonable steps to regulate public access to, and public conduct at, meetings of the Council and its committees	Council	The Councillor/ person presiding at a meeting	After consultation with the Municipal Manager	
21(1)(b)	Determining newspapers circulating in the area as newspapers of record	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
21(2)	Determining the official languages in which municipal notices must be published	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
21B(1)	Deciding that the Municipality must have its own website	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
21B(3)	Regularly updating and maintaining the Municipality's website	Municipal Manager	Manager Corporate Services		
25(1)	Adopting an integrated development plan for the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
26(a)	Determining the Council's vision for the long term development of the Municipality with special emphasis on the Municipality's most critical development and internal transformation needs to be incorporated in the IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee in the form of an integrated development plan or a proposed amendment thereto	
26(c)	Determining the Council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs to be incorporated in the IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee in the form of an integrated development plan or a proposed amendment thereto	
26(f)	Determining the Council's operational strategies to be incorporated in the IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee in the form of an integrated development plan or a proposed amendment thereto	
28(1)	Adopting a written process to guide the planning, drafting, adoption and review of its integrated development plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
28(2)	Determining appropriate mechanisms, processes and procedures for consulting the community before adopting a process to guide the planning, drafting, adoption and review of the integrated development plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
30	Managing the drafting of the Municipality's integrated development plan, assignment of responsibilities in this regard to the	Executive Committee	None		



Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	Municipal Manager and submitting the draft plan to the Council for adoption				
32(1)(a)	Submitting the approved IDP to the MEC	Municipal Manager	None	None	
32(3)	Considering the MEC's request to reconsider the IDP or to follow the approved process/work plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
34	Annual reviewing and amendment of IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
39	Managing the development of the Municipality's performance management system, assignment of responsibilities in this regard to the Municipal Manager and submission of the proposed system to the Council for adoption.	Executive Committee	None		
40	Establishing mechanisms to monitor and review the Municipality's performance management system	Council	Executive Committee		
42	Determining mechanisms, processes and procedures to involve the community in the development, implementation and review of the Municipality's performance management system, the setting of appropriate key performance indicators and performance targets for the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
44	Determining the manner to make known, both internally and to the general public, the key performance indicators and performance targets	Council	Executive Committee		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	the Council set for purposes of its performance management system				
46	Preparing the Municipality's annual performance report	Council	Municipal Manager	Together with the managers directly accountable to the Municipal Manager	
46(4)(a)	Determining a reasonable price for a copy of the Municipality's annual performance report	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
53(1)	Defining the specific role and area of responsibility of each political structure and political office-bearer of the municipality and of the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
53(5)	Determining the relationships among the political structures and political office bearers and the Municipal Manager, and the manner in which they must interact	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
53(5)	Determining the appropriate lines of accountability and reporting for the political structures and political office bearers and the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
53(5)	Determining the mechanisms, processes and procedures for minimising cross-referrals and unnecessary overlapping of responsibilities between the political structures and political office bearers and the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
53(5)	Determining the mechanisms, processes and procedures for resolving disputes between the political structures and political office bearers and the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
53(5)	Determining the mechanisms,	Council	None	Subject to receiving and considering a	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	processes and procedures for interaction, between the political structures and political office bearers and the Municipal Manager and other staff members of the Municipality and Councillors and the Municipal Manager and other staff members of the Municipality.			report and recommendations from the Executive Committee	
55(1)(a)	Subject to the policy directions of the Council, forming and developing an economical, effective, efficient and accountable administration equipped to carry out the task of implementing the Municipality's integrated development plan, operating in accordance with the municipality's performance management system and responsive to the needs of the community to participate in the affairs of the Municipality	Municipal Manager	None	None	
55(1)(b)	Subject to the policy directions of the Council managing the Municipality's administration in accordance with legislation applicable to the Municipality	Municipal Manager	Departmental heads	None	
55(1)(c)	Subject to the policy directions of the Council implementing the Municipality's integrated development plan, and the monitoring of progress with implementation of the plan	Municipal Manager	Departmental heads	None	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
55(1)(d)	Subject to the policy directions of the Council managing the provision of services to the community in a sustainable and equitable manner	Municipal Manager	Departmental heads	None	
55(1)(e)	Subject to the policy directions of the Council appointing staff other than managers directly accountable to the Municipal Manager subject to the Employment Equity Act, 1998 (Act 55 of 1998)	Municipal Manager	Departmental heads	Only staff on reporting levels 2 and lower	
55(1)(f)	Subject to the policy directions of the Council managing, effectively utilising and training of staff	Municipal Manager	Departmental heads	None	
55(1)(g)	Subject to the policy directions of the Council maintaining discipline of staff	Municipal Manager	Departmental heads	None	
55(1)(h)	Subject to the policy directions of the Council promoting sound labour relations and compliance by the Municipality with applicable labour legislation	Municipal Manager	Departmental heads	None	
55(1)(i)	Subject to the policy directions of the Council advising the political structures and political office bearers of the Municipality	Municipal Manager	Departmental heads	None	
55(1)(j)	Subject to the policy directions of the Council managing communications between the Municipality's administration and its political structures and political office bearers	Municipal Manager	None	None	
55(1)(k)	Subject to the policy directions of the Council carrying out the decisions of the political structures and political office bearers of the Municipality	Municipal Manager	Departmental heads	None	
55(1)(l)	Subject to the policy directions of the	Municipal Manager	Departmental	None	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	Council administering and implementing of the Municipality's by-laws and other legislation		heads		
55(1)(n)	Subject to the policy directions of the Council facilitating participation by the community in the affairs of the Municipality	Municipal Manager	Departmental heads	None	
55(1)(o)	Subject to the policy directions of the Council developing and maintaining a system whereby community satisfaction with municipal services is assessed	Municipal Manager	None	None	
55(1)(p)	Subject to the policy directions of the Council implementing national and provincial legislation applicable to the Municipality	Municipal Manager	Departmental heads	None	
55(1)(q)	Subject to the policy directions of the Council performing any other function that may be assigned by the Council	Municipal Manager	None	None	
56(a)	Determining the manner in which to consult the Municipal Manager regarding the appointment of managers directly accountable to the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
56(b)	Determining the relevant skills and expertise to perform the duties associated with a post of manager directly accountable to the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
57(1)	Approving the employment contract between the Municipality and the Municipal Manager and a manager directly accountable to the Municipal	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	Manager				
57(1)	Signing an employment contract with the Municipal Manager or a manager directly accountable to the Municipal Manager	Council	Mayor	Subject to the contract being approved by the Council after receiving and considering a report and recommendations from the Executive Committee	
	Signing an employment contract with a manager directly accountable to the Municipal Manager		Municipal Manager		
57(3)	Approving the first and annual performance agreement between the Municipality and the Municipal Manager	Council	Mayor	None	
	Approving the first and annual performance agreement between the Municipality and a manager directly accountable to the Municipal Manager		Municipal Manager		
57(6)(a)	Determining the term of employment of the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
57(4B)	Evaluating the performance of the Municipal Manager in respect of a financial year	Council	Mayor		
	Evaluating the performance of the managers directly accountable to the Municipal Manager in respect of a financial year	Municipal Manager	None		
	Considering and approving a report regarding the evaluation of the performance of the Municipal Manager and managers directly accountable to the Municipal Manager	Council	Executive Committee	None	
57(6)(b)	Determining a provision for the	Council	None	Subject to receiving and considering a	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	cancellation of a contract of employment or performance agreement between the Municipality and the Municipal Manager or a manager directly accountable to a Municipal Manager for non-compliance with the employment contract or performance agreement			report and recommendations from the Executive Committee	
57(7)	Deciding whether the provisions of section 57(6) of the Act must be applied to the employment of a manager directly accountable to the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
57(7)	Determining the term of employment of a manager directly accountable to a Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
59(1)	Developing of a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
60(1)	Determining a policy framework for taking decisions to – (a) expropriate immovable property or rights in or to immovable property; and (b) the determination or alteration of the remuneration, benefits or other conditions of service of the Municipal Manager or Managers directly responsible to the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
	Appointing an appeal authority consisting of a committee of Councillors who were not involved in	Council	Speaker	None	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
62(4)(c)	the decision, for considering appeals against a decision taken by a political structure, political office bearer, Councillor or staff member of the Municipality in terms of a power or duty delegated or sub-delegated that affects the rights of a person				
65(1)	Considering a report of the Municipal Manager regarding the review of the Municipality's delegated powers	Council	None	None	
66(1)	Determining a policy framework for a staff establishment for the Municipality, a job description for each post on the staff establishment, the remuneration and other conditions of service as may be determined in accordance with any applicable labour legislation attached to posts in the establishment and a process or mechanism to regularly evaluate the staff establishment and, if necessary, review the staff establishment and the remuneration and conditions of service	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
67(1)	Developing and adopting systems and procedures to ensure fair, efficient, effective and transparent personnel administration	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
68(2)	Determining the allocation provided for in the budget for the development and implementation of training programmes	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
	Establishing mechanisms,	Council	Municipal Manager	After consultation with the managers	



Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
71	procedures and processes for compliance with collective agreements concluded in the bargaining council			directly accountable to the Municipal Manager	
74(1)	Adopting and implementing of a tariff policy on the levying of fees for municipal services provided by the Municipality itself or by way of service delivery agreements	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
75(1)	Adopting by-laws to give effect to the implementation and enforcement of the tariff policy	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
77	Reviewing of current and determination of appropriate mechanisms to provide municipal services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
85(1)	Establishing a part of the Municipality as an internal municipal service district to facilitate the provision of a municipal service in that part of the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
86(1)	Developing and adopting a policy framework for the establishment, regulation and management of an internal municipal service district	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
86C(1)	Deciding whether to establish or participate or acquire an interest in a private company.	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	N
86G	Deciding to transfer ownership or otherwise dispose of a wholly owned private company or an interest in a private company	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	N
86H	Passing a bylaw establishing a service utility	Council	None	Subject to receiving and considering a report and recommendations from the	N

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
				Executive Committee	
86K	Passing a bylaws disestablishing a service utility	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	N
87	Deciding to establish, together with another municipality a multi-jurisdictional municipal service utility to facilitate the provision of a municipal service in the relevant municipal areas or parts of those municipal areas	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
93D(1)	Designating, if the municipality is a parent municipality, a councillor or official, or both, as the municipality's representative(s) of the parent municipality	Council	None	None	N
93D(2)	Calling or convening a meeting of the shareholders or board of directors of the municipal entity of which the municipality is a parent municipality in order for the board of directors to give account for actions taken by it	Executive Committee	None	None	N
93E	Determining the process for recruiting, selecting and appointing directors of the board of a municipal entity of which the municipality is a parent municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	N
93G	Deciding to recall and remove a director appointed by the municipality to the board of directors of a municipal entity	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	N
95(a)	Establishing a customer management system	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
				Manager	
95(b)	Establishing mechanisms for users of services to give feedback to the Municipality or other service provider regarding the quality of the services and the performance of the service provider	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
95(c)	Stipulating the reasonable steps that must be taken to ensure that users of services are informed of the costs involved in service provision, the reasons for the payment of service fees, and the manner in which monies raised from the service are utilised	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
95(d)	Stipulating the reasonable steps that must be taken to ensure that the consumption by individual users of services is measured through accurate and verifiable metering systems where the consumption of services has to be measured	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
95(e)	Stipulating the steps that must be taken to ensure that persons liable for payments, receive regular and accurate accounts that indicate the basis for calculating the amounts due	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
95(f)	Establishing accessible mechanisms for persons to query or verify accounts and metered consumption, and appeal procedures which allow such persons to receive prompt redress for inaccurate accounts	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
95(g)	Establishing accessible mechanisms for dealing with complaints from persons, together with prompt replies and corrective action by the Municipality	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
95(h)	Establishing mechanisms to monitor the response time and efficiency in complying with complaints from such persons, together with prompt replies and corrective action by the Municipality	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
95(i)	Determining the number and location of pay points and other mechanisms for settling accounts or for making pre-payments for services	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
96(b)	Adopting, maintaining and implementing a credit control and debt collection policy which is consistent with the Municipality's rates and tariff policies	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
98(1)	Adopting by-laws to give effect to the Municipality's credit control and debt collection policy, its implementation and enforcement	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
99(c)	Determining the frequency during which the Executive Committee must report to the Council on the implementation and enforcement of the Municipality's credit control and debt collection policy and any by-laws, the performance of the Municipal Manager in implementing the policy and any by-laws and the evaluation or review of the policy	Council	None	None	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	and any by-laws, or the implementation of the policy and any such by-laws, in order to improve efficiency of its credit control and debt collection mechanisms, processes and procedures				
101	Issuing of written authorisation to an employee to access at all reasonable hours to the premises in order to read, inspect, install or repair any meter or service connection for reticulation, or to disconnect, stop or restrict the provision of any service	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
102(1)	Deciding to consolidate any separate accounts of persons liable for payments to the Municipality and to credit a payment by such a person against any account of that person	Council	Municipal Manager	After consultation with the Chief Financial Officer	
103(1)	Obtaining the consent of employees of other employers to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
103(1)	Entering into agreement with the employers of other employees to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
103(2)	Determining special incentives for employers to enter into agreements with the Municipality to deduct any	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees				
103(2)	Determining special incentives for employees of other employers to enter into agreements with the Municipality to deduct any payment of rates or other taxes, or fees for municipal services from their salaries and wages	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
109(2)	Deciding to compromise or compound any action, claim or proceedings and submission to arbitration of any matter other than a matter involving a decision on its status, powers or duties or the validity of its actions or by-laws.	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
110	Issuing a certificate, to be used in legal proceedings involving the Municipality, that the Municipality used the best known, or the only, or the most practicable and available methods in exercising any of its powers or performing any of its functions	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	
112	Obtaining the approval of the National Prosecuting Authority to enable an employee to institute criminal proceedings and conduct prosecutions in respect of bylaws and other legislation applicable to the Municipality	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	
117	Custody of all records and	Municipal Manager	Manager Corporate	Non e	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	documents of the Municipality		Services		
118	Issuing of a rates clearance certificate	Council	Chief Financial Officer		
Sch 1(4)(1)	Considering applications submitted by Councillors for leave of absence from meetings they are required to attend	Council	Chairperson of the political structure concerned	None	
Sch 1(4)(1)	Imposing a fine as determined by the standing rules and orders on a Councillor for not attending a meeting which that Councillor is required to attend or failing to remain in attendance at such a meeting	Council	None	Subject to receiving and considering a report from the Speaker	
Sch 1(4)(3)	Adopting a uniform standing procedure for the imposition of a fine or the removal of a Councillor	Council	None	Subject to receiving and considering a report from the Speaker	
Sch 1(5)(b)	Determining whether a Councillor's declared personal or private business interest in any matter before the Council or a Mayor of the Council is trivial or irrelevant	Council	The political structure at which the Councillor concerned makes the declaration	Taking into account a policy framework determined by the Council	
Sch 1(6)(2)	Considering an application by a Councillor to be a party to or beneficiary under a contract for the provision of goods or services to the Municipality or the performance of any work otherwise than as a Councillor for the Municipality, or to obtain a financial interest in any business of the Municipality or to appear on behalf of any other person before the Council or a Mayor for a fee or other consideration	Council	None	Subject to receiving and considering a report from the Speaker	
	Determining which of the financial	Council	None	Subject to receiving and considering a	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
Sch 1(7)(4)	interests of Councillors must be made public having regard to the need for confidentiality and the public interest for disclosure			report from the Speaker	
Sch 1(8)	Considering and refusing or consenting to an application of a full-time Councillor to undertake other paid work	Council	None	Subject to receiving and considering a report from the Speaker	
Sch 1(10)	Granting permission to a Councillor to disclose privileged or confidential information of the Council or a Mayor to an unauthorised person	Council	None	Subject to receiving and considering a report from the Speaker	
Sch 1(11)	Mandating a Councillor to intervene in the management or administration of any department or to give an instruction to an employee	Council	None	Subject to receiving and considering a report from the Speaker	
Sch 1(13)	Authorising an investigation into an alleged breach of the code of conduct for Councillors	Speaker	Speaker	None	
Sch 1(14)(1)	Investigating and making a finding on any alleged breach of a provision of the code of conduct for Councillors or establishment of a special committee to investigate and make a finding on any alleged breach of the code and to make appropriate recommendations to the Council.	Council	None	None	
Sch 1(14)(2)	Imposing a penalty on a Councillor having been found guilty of a breach of the code of conduct for Councillors	Council	None	None	
	Making representations to the MEC regarding an appeal of a Councillor	Council	Speaker	None	



Delegated powers  
Tswelopele Local Municipality

---

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
Sch 1(14)(3)	that has been found guilty of a breach of the code of conduct form Councillors				

**Remuneration of Public Office-Bearers Act 1998 (Act No 20 of 1998)**

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
7(4)	Determining the salary, allowances and benefits payable to Councillors	Council	None	None	

**Promotion of Access to Information Act 2000 (Act No 2 of 2000)**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions</b>	<b>Sub-delegate</b>
17(1)	Designating such number of persons as deputy information officers as are necessary to render the Municipality as accessible as reasonably possible for requesters of its records.	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	

### Promotion of Administrative Justice Act 2000 (Act No 3 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
3(3)	Granting to a person whose rights or legitimate expectations may be materially affected by intended administrative action by the Municipality, an opportunity to obtain assistance and, in serious or complex cases, legal representation, present and dispute information and arguments and appear in person.	Council	Mayor	After consultation with the Speaker	
4(1)	Deciding, in cases where an administrative action materially and adversely affects the rights of the public, whether to hold a public inquiry or to follow a notice and comment procedure, or to hold a public enquiry and follow a procedure of notice and comment in order to give effect to the right to procedurally fair administrative action	Council	Speaker	After consultation with the Mayor	

### Promotion of Equality and Prevention of Unfair Discrimination Act 2000 (Act No 4 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
26	Adopting appropriate equality plans, codes, regulatory mechanisms and other appropriate measures for the effective promotion of equality in the spheres of the Municipality's operation, enforcing and monitoring the enforcement of the equality plans, codes and regulatory mechanisms developed by the Municipality and making regular reports to the relevant monitoring authorities or institutions as may be provided in regulations, where appropriate.	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
28(3)	Determining mechanisms, processes and procedures to eliminate discrimination on the grounds of race, gender and disability and promote equality in respect of race, gender and disability.	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

### Water Services Act 1998 (Act No 107 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
3	Determining the processes, mechanisms, plans and programmes for realising the right of access to basic water supply and basic sanitation.	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
4	Determining conditions for the provision of water services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
7	Granting permission to obtain water for industrial use from any source other than the distribution system of a water services provider nominated by the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
11(6)	Determining reasonable limits on the use of water	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
19	Determining whether to perform the functions of a water services provider itself or to enter into a written contract with a water services provider or form a joint venture with another water services institution to provide water services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
21	Making bylaws which contain conditions for the provision of water services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
22	Considering applications to operate as water services provider within the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

**Housing Act 1997 (Act No 107 of 1997)**

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
10	Deciding to apply for accreditation to administer national housing programmes	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

## Labour Relations Act 1995 (Act No 66 of 1995)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
12(4)	Setting conditions as to time and place that are reasonable and necessary to safeguard life or property or to prevent the undue disruption of work when any office-bearer or official of a trade union enters the Municipality's premises in order to recruit members or communicate with members, or otherwise serve members' interests, to hold meetings with employees outside their working hours at the employer's premises and to vote at the employer's premises in any election or ballot contemplated in that trade union's constitution.	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
15(1)	Granting of leave to union representatives and office-bearers for union activities	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
16(2) and (3)	Deciding whether or not to disclose information to a union representative or union	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
23	Ensuring compliance with collective agreements	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
69(2)	Considering an application by a trade union to picket inside the Municipality's premises	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
72	Entering into a minimum service level agreement in respect of essential services provided by the Municipality	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
76	Deciding to take into employment	Council	Municipal Manager	Subject to the provisions of the relevant	



Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	one or more replacement workers during a strike or similar action and determining there conditions of employment			collective agreement	
142	Applying to the CCMA to subpoena a person to appear in proceedings before the CCMA	Council	Municipal Manager	None	
142A	Applying to the CCMA to make a settlement agreement an arbitration award	Council	Municipal Manager	None	
188A(1)	Seeking the consent of an employee accused of misconduct or poor work performance to consent to arbitration regarding the allegations	Council	Municipal Manager	None	
188A(1)	Applying to the SALGBC (Free State Division) or the CCMA to arbitrate any allegation relating to an employee's conduct or capacity	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
189	Deciding whether to dismiss one or more employees based on the Municipality's operational requirements	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
189A(3)	Requesting the CCMA to appoint a facilitator to facilitate consultation between the Municipality and other consulting parties regarding the proposed dismissal of one or more employees based on the Municipality's operational requirements	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
191	Appointing a person or body to represent the Municipality in any proceedings before the SALGBC (Free State Division) or the CCMA	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions</b>	<b>Sub-delegate</b>
Sch 8(8)(a)	Deciding whether to appoint a newly-hired employee on probation	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
Sch 8(8)(d)	Determining the period of probation with reference to the nature of the job and the time it takes to determine the employee's suitability for continued employment	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
Sch 8(8)(e)	Determining the basis and methodology of assessing the performance of an employee appointed on probation	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
Sch 8(8)(e)	Determining the reasonable evaluation, instruction, training, guidance or counselling in order to allow an employee appointed on probation to render satisfactory service	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
Sch 8(8)(f)	Deciding to extend a employee's period of probation	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	

### Basic Conditions of Employment Act 1997 (Act No75 of 1997)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
7	Regulating the working time of each employee in accordance with the provisions of any Act governing occupational health and safety, with due regard to the health and safety of employees and the Code of Good Practice on the Regulation of Working Time and with due regard to the family responsibilities of employees.	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
9(2)	Concluding an agreement to extend the working hours of an employee by up to 15 minutes in a day but not more than 60 minutes in a week to enable an employee whose duties include serving members of the public to continue performing those duties after the completion of ordinary hours of work.	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
10(1)(a)	Concluding an agreement with an employee requiring that employee to work overtime and a further agreement to extend such agreement	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement	
10(3)	Determining, by way of agreement, whether an employee who works overtime will be paid in cash for such overtime work or time off in lieu of such pay	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
11(1)	Concluding an agreement in writing requiring or permitting an employee to work up to twelve hours in a day,	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	inclusive of the meal intervals, without receiving overtime pay				
14(1)	Determining of meal intervals	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement	
14(3)	Concluding an agreement in writing reducing the meal interval to not less than 30 minutes and dispensing with a meal interval for an employee who works fewer than six hours on a day.	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
17(2)	Concluding an agreement requiring or permitting an employee to perform night work	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement and provided that – (a) the employee is compensated by the payment of an allowance, which may be a shift allowance, or by a reduction of working hours; and (b) transportation is available between the employee's place of residence and the workplace at the commencement and conclusion of the employee's shift.	
17(2)	Determining a night work allowance	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
18(1)	Concluding an agreement requiring an employee to work on a public holiday	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
20(4)	Granting of annual leave not later than six months after the end of an employee's annual leave cycle.	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
20(6)	Permitting an employee, at the employee's written request, to take leave during a period of unpaid leave.	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement	
20(7)	Reducing an employee's entitlement	Council	Manager Corporate	Subject to the provisions of the relevant	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	to annual leave by the number of days of occasional leave on full remuneration granted to the employee at the employee's request in that leave cycle.		Services	collective agreement	
20(9)	Ensuring that an employee who has been granted leave does not work during such leave	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
21	Concluding an agreement with an employee who has been granted annual leave to be paid on her/his usual payday	Council	Chief Financial Officer	Subject to the provisions of the relevant collective agreement	
22(6)	Concluding an agreement to reduce an employee's pay during that employee's absence from work on sick leave	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
23(1)	Deciding whether an employee who has been absent from work for more than two consecutive days or on more than two occasions during an eight-week period and, on request, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury should be charged with misconduct	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
25	Granting of maternity leave	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
26(1)	Making arrangements to ensure that a pregnant employee or an employee who is nursing her child to perform work that is hazardous to her health or the health of her child.	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
26(2)	Making arrangements during an employee's pregnancy, and for a period of six months after the birth of her child for suitable, alternative employment on terms and conditions that are no less favourable than her ordinary terms and conditions of employment, if the employee is required to perform night work, as defined in section 17(1) or her work poses a danger to her health or safety or that of her child and it is practicable for the Municipality to do so	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
27(1)	Granting of family responsibility leave to an employee during an annual leave cycle	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
27(5)	Deciding whether an employee who applied for or who has been granted family responsibility leave must submit reasonable proof of the event for which the leave was required	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
29(1)	Supplying the written particulars of her/his employment to a newly appointed employee	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement	
29(2)	Amending the written particulars of employment issued to an employee when any such particular changes	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement	
29(3)	Explaining, in cases where an employee is not able to understand the written particulars of her/his employment, to the employee the written particulars in a language and in a manner that the employee	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	understands.				
29(4)	Keeping the written particulars of an employee for a period of three years after the termination of employment.	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement	
30	Ensuring the display at the workplace where it can be read by employees a statement in the prescribed form of the employee's rights under Basic Conditions of Employment Act in the official languages which are spoken in the workplace.	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement	
31(1)	Keeping of the following minimum records in respect of each employee: (a) The employee's name and occupation; (b) the time worked by each employee; (c) the remuneration paid to each employee; (d) the date of birth of any employee under 18 years of age; and (e) any other prescribed information.	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement	
38(1)	Deciding whether to require an employee who has resigned or has been dismissed must work during the notice period or whether the notice period is waived	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	
41	Determining the severance pay payable to an employee dismissed due to the operational requirements of the Municipality	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
69(4)	Ensuring that a copy of the compliance order is displayed	Council	Manager Corporate Services	Subject to the provisions of the relevant collective agreement	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	prominently at a place accessible to the affected employees at each workplace named in it				
69(5)	Ensuring compliance with a compliance order within the time period stated in the order unless the employer objects in terms of section 71.	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
71	Deciding to object to a compliance order	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	
72	Deciding to appeal against a decision of the Director-General of Labour regarding an object of the Municipality to a compliance order	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	



### Occupational Health and Safety Act 1993 (Act No 85 of 1993)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
7(1)	Ensuring compliance with a directive issued by notice in the Gazette, to prepare a written policy concerning the protection of the health and safety of employees at work and the arrangements for carrying out and reviewing that policy	Council	Manager Corporate Services	In consultation with the managers directly accountable to the Municipal Manager	
7(3)	Ensuring that the municipality's health and safety policy is signed by the Municipal Manager and displayed in the workplace where employees normally report for service	Council	Manager Corporate Services	None	
8(1)	Ensuring that, as far as is reasonably practicable, a working environment that is safe and without risk to the health of employees is provided and maintained.	Council	Departmental Heads	None	
9(1)	Ensuring, as far as is reasonably practicable, that persons other than employees who may be directly affected by the Municipality's activities are not thereby exposed to hazards to their health or safety	Council	Relevant departmental head	None	
10(1)	Ensuring that any article supplied for use at work shall ensure, as far as is reasonably practicable, that the article is safe and without risks to health when properly used and that it complies with all prescribed requirements	Council	Relevant departmental head	None	
10(2)	Ensuring that the erection or	Council	Relevant	None	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	installation of any article for use at work on or in any premises of the municipality as far as is reasonably practicable, that nothing about the manner in which it is erected or installed makes it unsafe or creates a risk to health when properly used		departmental head		
16(1)	Ensuring that the duties of the Municipality as contemplated in Occupational Health and Safety Act, are properly discharged	Municipal Manager	Manager Corporate Services	None	
17(1)	Designating, in writing for a specified period health and safety representatives for every workplace where more than 20 employees work, or for different sections thereof.	Council	Manager Corporate Services		
17(2)	Consulting with recognised representatives of employees in good faith regarding the arrangements and procedures for the nomination or election, period of office and subsequent designation of health and safety representatives	Council	Manager Corporate Services	None	
17(2)	Recognizing employees for the purpose consulting about the election or appointment of health and safety representatives	Council	Manager Corporate Services	None	
17(6)	Complying with a directive of a labour inspector with regard to the appointment of additional health and safety representatives at a workplace	Council	Manager Corporate Services	None	
18(3)	Providing such facilities, assistance	Council	Manager Corporate	None	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	and training as a health and safety representative may reasonably require and as have been agreed upon for the carrying out of his functions		Services		
19(1)	Establishing a health and safety committee for every workplace where two or more health and safety representatives has been appointed	Council	Manager Corporate Services	None	
19(1)	Consulting with the health and safety committee with a view to initiating, developing, promoting, maintaining and reviewing measures to ensure the health and safety of employees at work	Council	Manager Corporate Services	None	
19(2)	Determining the number of members of a health and safety committee	Council	Manager Corporate Services	None	
19(2)	Designation of persons to represent the employer in a health and safety committee	Council	Manager Corporate Services	None	
20(1)	Receiving and considering reports and recommendations of the health and safety committee	Council	Relevant departmental head	None	

### Employment Equity Act 1998 (Act No 55 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
5	Taking steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice.	Council	Municipal Manager	None	
7(1)	Deciding whether an employee or an applicant for employment must submit for medical testing	Council	Director Corporate Services	None	
8	Ensuring that any psychometric test or similar assessment has been scientifically shown to be valid and reliable, can be applied fairly to employees or applicants for employment and is not biased against any employee or applicant for employment or group.	Council	Director Corporate Services	None	
13(1)	Implementing affirmative action measures (i.e. measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce) for people from designated groups in order to achieve employment equity	Council	Director Corporate Services	None	
16	Taking reasonable steps to consult and attempt to reach agreement with a representative trade union representing members at the workplace on – a) the conduct of the analysis of the municipality's employment	Council	Municipal Manager	None	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	<p>policies, practices, procedures and the working environment, in order to identify employment barriers which adversely affect people from designated groups and a profile of the workforce within each occupational category and level in order to determine the degree of under representation of people from designated groups in various occupational categories and levels in the workforce;</p> <p>b) the preparation and implementation of an employment equity plan which will achieve reasonable progress towards employment equity in the workforce; and</p> <p>c) an annual report</p>				
24	Assigning one or more senior managers to take responsibility for monitoring and implementing an employment equity plan and providing the managers with the authority and means to perform their functions	Council	Municipal Manager	None	
25(1)	Ensuring that a notice informing employees about the provisions of the Employment Equity Act is displayed at the workplace where it can be read by employees	Council	Director Corporate Services	None	
25(2)	Placing in prominent places that are accessible to all employees the most	Council	Director Corporate Services	None	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	recent report submitted by the Municipality to the Director-General and any compliance order, arbitration award or order of the labour court concerning the provisions of the Employment Equity Act in relation to the municipality				
27(1)	Submitting a statement to the Employment Conditions of Commission on the remuneration and benefits received in each occupational category and level of that employer's workforce.	Council	Manager Corporate Services	None	
36	Issuing a written undertaking to comply with the provisions of the Employment Equity Act when requested by a labour inspector	Council	Municipal Manager	None	
39	Objecting to a compliance order issued by a labour inspector in terms of section 38 of the Employment Equity Act	Council	Municipal Manager	None	
40	Appealing against a compliance order issued by the Director-General of Labour in terms of section 39 of the Employment Equity Act	Council	Municipal Manager	None	

### **Skills Development Act 1998**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions</b>	<b>Sub-delegate</b>
10(1)	Prepare, adopt and amend a work place skills plan	Council	Manager Corporate Services		
17	Entering in to a learnership agreement	Council	Municipal Manager		

## Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003)

### 1. GENERAL POWERS CONFERRED BY FINANCIAL DELEGATIONS FRAMEWORK

#### DELEGATIONS TO COUNCIL

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
7(1)	Deciding to open a bank account for the Municipality.		Council	Accounting Officer
	Deciding at which bank/banks to open a bank account.	Subject to section 8(2) of the MFMA	Council	Accounting Officer
	Deciding to close a bank account.	Section 10(1)(B) of the MFMA	Council	Accounting Officer
7(2)	Determining into which bank account money collected or received by the Municipality must be deposited.	See section 48(2)(d) of the MFMA	Council	Accounting Officer
8(1)	Designating a bank account of the Municipality as the Municipality's primary bank account.	Section 62(2) of the MFMA	Council	Accounting Officer
8(3)	Determining the reasonable steps to be taken to ensure that the prescribed money received is paid into the Municipality's primary bank account.	Section 62(2) of the MFMA	Council	Accounting Officer



Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
8(4)	Entering into an agreement with other parent municipalities of a municipal entity of which the Municipality is a parent municipality, as to which Municipality's primary bank account to use for the purpose of receiving allocations from organs of state to the municipal entity concerned.		Council	Accounting Officer
12(2)	Deciding to open a separate bank account in the name of the Municipality for the purpose of a relief, charitable, trust or other fund.	Section 12(1) of the MFMA	Council	Accounting Officer
13(2)	Establishing an appropriate and effective cash management and investment policy for the Municipality.	<b>NOTE:</b>		
		In terms of section 60(2) of the Municipal Systems Act 2000 the Council may only delegate to the Executive Mayor or The Chief Financial Officer the authority to make decisions to make investments on behalf of the Municipality	Municipal Council (The MC must approve the policies for implementation by the Accounting Officer and Senior Management)	Accounting Officer

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
14(2)	Deciding to transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset.	On condition that the asset concerned is not needed to provide the minimum level of basic municipal services and the Council considered the fair market value of the asset concerned	Municipal Council	Accounting Officer
14(2)(a)	Deciding, at a meeting open to the public and on reasonable grounds, that an asset of the Municipality is not needed to provide the minimum level of basic municipal services.	Only in respect of movable capital assets below a value determined by the Council	Municipal Council	Accounting Officer
14(2)(b)	Considering the fair market value of an asset to be disposed of and the economic and community value to be received in exchange for an asset to be disposed of	Only in respect of movable capital assets below a value determined by the Council	Municipal Council	Accounting Officer
14(4)	Determining the value of movable assets in respect of which the Municipal Manager may determine –	A municipal council may	Municipal Council	Accounting Officer

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
	(a) whether an asset to be disposed of is not needed to provide the minimum level of basic municipal services; and (b) determining the fair market value of such asset and the economic and community value to be received in exchange for the asset	delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council.		Accounting Officer
16(1)	Approval of an annual budget	<b>NOTE:</b> 1. In terms of section 160(2)(b), read with section 160(3)(b) of the Constitution a budget must be approved by a decision taken by the Municipal Council with a		
			Municipal Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		supporting vote of a majority of its members.		
		2. Approval of the budget must be considered on or before 1 June each year in terms of section 24(1) of the MFMA.	Municipal Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		3. In terms of section 30(5) of the Local Government: Municipal Structures Act 1998 (Act No 117 of 1998) the Council may only after it received and considered the report and recommendations of the Executive Mayor regarding the annual budget, approve the budget	Municipal Council	N/A
		4. See section 25(1) of the MFMA	Municipal Council	N/A
16(3)	Deciding whether money for capital expenditure for a period not exceeding three financial years may be appropriated in an annual budget	A separate appropriation must be made for each of financial	Municipal Council	Accounting Officer

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		year		
19(1)(b)	Approving a capital project, including its total cost		Municipal Council	N/A
19(1)(d)	Considering the sources of funding of a capital project		Municipal Council	Accounting Officer
19(2)	Considering, in respect of a capital project, the projected cost covering all financial years until the project is operational and the future operational costs and revenue on the project, including municipal tax and tariff implications.		Municipal Council	N/A
19(3)	Deciding to approve capital projects below the prescribed value individually or as part of a consolidated capital programme		Municipal Council	N/A
23(1)	Receiving and considering the views of the communities and organs of state received in connection with the budget		Municipal Council	N/A
23(2)	Deciding to give the Mayor an opportunity to respond to any submissions received in connection with the budget from communities and organs of state		Municipal Council	N/A
28(1)	Deciding to revise an approved budget by way of an adjustments budget		Municipal Council	N/A
32(2)	Deciding to recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure	Except, in the case of –		

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		1. unauthorised expenditure, if the amount of the expenditure is authorised in an adjustments budget; or	Municipal Council	N/A
		2. is certified by the Council, after investigation by a Council committee, as irrecoverable and written off by the Council; and	Municipal Council	N/A
		3. irregular or fruitless and wasteful expenditure is, after investigation by a Council committee, certified by the Council as irrecoverable and	Municipal Council	Accounting Officer

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		written off by the Council		
32(2)	Determining the amount of unauthorised, irregular or fruitless and wasteful expenditure to be recovered, written off or provided for in an adjustments budget		Municipal Council	Accounting Officer
32(2)	Identifying the identity of the person who is liable for unauthorised, irregular or fruitless and wasteful expenditure.	section 62(1)(e)	Council	Accounting Officer
32(2)	Appointing a committee to investigate any suspected or reported unauthorised, irregular or fruitless and wasteful expenditure	<b>NOTE:</b>		
		In terms of the judgements of the Courts in the cases of <u>The Democratic Alliance and another v Amos Masondo and another</u> (WLD) (Case No 01/9260) (2001) and <u>Democratic</u>	Municipal Council	Mayor



Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		<u>Alliance and Another v Amos Masondo N O and the Minister of Provincial and Local Government</u> (CC) (Case No CCT 29/02) a mayoral committee was found not to be a committee of a municipal council. The Council may therefore not appoint the Mayoral Committee to perform such an investigation		
32(7)	Determining whether an alleged irregular expenditure incurred by the Municipal Manager constitutes a criminal offence		Municipal Council	N/A
	Determining whether the Municipal Manager allegedly committed an act of theft and fraud		Municipal Council	Mayor

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
	Reporting alleged irregular expenditure incurred by the Municipal Manager that constitutes a criminal offence and alleged theft and fraud perpetrated by the Municipal Manager to the SAPS		Municipal Council	N/A
33(1)	Deciding to enter into a contract which will impose financial obligations on the municipality beyond a financial year.		Council	N/A
34(1)	Entering into an agreement with the national or provincial government to assist the Municipality to build its capacity for efficient, effective and transparent financial management.		Council	Accounting Officer
34(3)(a)	Considering the results of the provincial government's monitoring of the Municipality.		Council	Accounting Officer
34(3)(b)	Considering a notification of the provincial government of any emerging or impending financial problems in the Municipality.		Council	Mayor
37(1)(a)	Determining the steps the Municipality must take to promote co-operative government with the national and provincial spheres of government and other municipalities in the Municipality's fiscal and financial relations.		Council	Accounting Officer
38(2)	Considering a notice received from the National Treasury of its intention to stop the transfer of funds to the Municipality.		Council	Mayor
39(3)	Determining the deputation that will appear before a committee of Parliament considering the approval or renewal of a decision of the National Treasury to stop the transfer of funds to the Municipality		Municipal Council	Mayor
	Determining the case that will be presented to a committee of Parliament considering the approval or renewal of a decision of the National Treasury to stop the transfer of funds to the Municipality		Municipal Council	Mayor

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
45(1)	Deciding whether to incur short term debt.	1. In terms of section 160(2) of the Constitution the Council may not delegate the raising of loans	Council	N/A
		2. A decision to raise a loan must be taken by the Council with a supporting vote of a majority of its members in terms of section 160(3)(b) of the Constitution	Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		3. In terms of section 30(5) of the Local Government: Municipal Structures Act 1998 (Act No 117 of 1998) the Council may only after it received and considered the report and recommendations of the Executive Mayor regarding a loan, approve the raising of a loan	Council	N/A
45(2)(a)	Approving any short term debt agreement		Municipal Council	
46(1)	Deciding whether to incur long term debt.	1. In terms of section 160(2) of the Constitution the Council may not delegate the raising of loans	Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		2. A decision to raise a loan must be taken by the Council with a supporting vote of a majority of its members in terms of section 160(3)(b) of the Constitution	Council	N/A
		3. In terms of section 30(5) of the Local Government: Municipal Structures Act 1998 (Act No 117 of 1998) the Council may only after it received and considered the report and recommendations of the Executive Mayor regarding a	Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		loan, approve the raising of a loan		
46(2)(a)	Approving any long term debt agreement		Municipal Council	N/A
48(1)	Deciding whether to provide security for any of the Municipality's debt obligations, debt obligations of a municipal entity under its sole control and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant or equipment to be used by the Municipality or such other person.		Municipal Council	N/A
48(2)	Deciding the form/nature of security to be provided for any of the Municipality's debt obligations, debt obligations of a municipal entity under its sole control and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant or equipment to be used by the Municipality or such		Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
	other person.			
48(3)(a)	Deciding whether an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services		Municipal Council	N/A
48(3)(b)	Deciding, if an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services, the manner in which the availability of the asset or right will be protected.		Council	N/A
50	Deciding to issue a guarantee for any commitment or debt of any organ of state, person or municipal entity under the sole or shared control of the Municipality		Municipal Council	N/A
	Deciding to grant exemptions from charging interest on any arrears owing to the Municipality in accordance with the Municipality's budget-related policies.	Subject to any prescripts in this regard	Council	
83(2)	Determining the resources or opportunities to be made available for the training of officials to meet the prescribed financial management competency levels.		Council	Accounting Officer
84(1a)	Determining precisely the function or service that a municipal entity would perform on behalf of the Municipality when considering the establishment of, or participation in, a municipal entity.		Council	Accounting Officer

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
84(2)(b)(i)	Considering an assessment of the impact of the shifting of a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity.		Council	Accounting Officer
84(2)(b)(ii)	Considering the comments or representations received from the local community, organised labour and other interested persons in respect of the Municipality's intention to establish and/or participate in a municipal entity		Municipal Council	N/A
84(2)(b)(iii)	Considering the views and recommendations of the National Treasury and the provincial treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity		Municipal Council	N/A
86(1)	Receiving information from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s).		Council	Accounting Officer
87(1)	Receiving a proposed budget for a municipal entity of which the Municipality is the parent municipality for each financial year.		Council	N/A
87(2)	Considering the proposed budget of a municipal entity of which the Municipality is the parent municipality and assessing the entity's priorities and objectives		Municipal Council	Accounting Officer
	Deciding to make recommendations on the proposed budget of a municipal entity of which the Municipality is the parent municipality		Municipal Council	Accounting Officer
87(5)(c)	Determining the limits, including any limits on tariffs, revenue, expenditure and borrowing, on the budget of a municipal entity of which the Municipality is the parent municipality.		Council	Accounting Officer



Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
88(b)(ii)	Receiving and considering a mid-year performance assessment report of a municipal entity of which the Municipality is the parent municipality.		Council	Accounting Officer
89(a)	Determining the upper limits of the salary, allowances and other benefits of the chief executive officer and senior managers of a municipal entity of which the Municipality is the parent municipality.		Council	N/A
89(b)	Monitoring and ensuring that a municipal entity of which the Municipality is the parent municipality reports to the Municipal Council on all expenditure incurred by that municipal entity on directors and staff remuneration matters, and in a manner that discloses such expenditure per type of expenditure		Municipal Council	Accounting Officer
	Considering an application from a municipal entity of which the Municipality is the parent municipality to transfer ownership or otherwise dispose of a capital asset other than an asset needed to provide the minimum level of basic municipal services	The power must be exercised in a meeting which is open to	Council	N/A
		the public at which the Council –	Council	
		(a) must determine on reasonable grounds that the asset is not needed to provide the minimum level of basic	Municipal Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
		municipal services; and		
		(b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset	Municipal Council	N/A
90(4)	Deciding to delegate to the Municipal Manager the power to determine on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services and the fair market value of the asset and the economic and community value to be received in exchange for the asset in respect of movable capital assets of a municipal entity of which the Municipality is the parent municipality below a value determined by the Council		Municipal Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
	Determining the value of movable capital assets of a municipal entity of which the Municipality is the parent municipality in respect of which the Municipal Manager may on reasonable grounds decide that the asset is not needed to provide the minimum level of basic municipal services and the fair market value of the asset and the economic and community value to be received in exchange for the asset		Municipal Council	Accounting Officer
97(3)	Receiving a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any payments due by an organ of state to the entity in respect of service charges, if such payments are regularly in arrears for periods of more than 30 days..		Council	Accounting Officer
			Council	N/A
101(1)	Receiving a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality on any financial problems of the entity.		Council	Accounting Officer
104(1)(b)	Deciding which information, returns, documents, explanations and motivations to require from the accounting officer of a municipal entity of which the Municipality is the parent municipality.		Council	Accounting Officer
109	Deciding, when a municipal entity of which the Municipality is the parent municipality, experiences serious or persistent financial problems and the board of directors of the entity fails to act effectively –.		Council	N/A
	(a) the appropriate steps to be taken in terms of the Municipality's rights and powers over the entity concerned, including its rights and powers in terms of any relevant service delivery or other agreement;		Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
	(b) impose a financial recovery plan, which meets the criteria set out in section 142 of the MFMA; or.		Council	N/A
	(c) liquidate and disestablish the entity.		Municipal Council	Accounting Officer
111	Making and implementing a supply chain management policy for the Municipality.	Subject to the content requirements in terms of section 112(1) of the MFMA	Council	CFO
113(1)	Deciding whether to consider an unsolicited bid received outside the Municipality's normal bidding process.		Council	Accounting Officer
116(3)	Considering the reasons for the proposed amendment of a contract or agreement and any representation that may have been received regarding the proposed amendment of a contract or an agreement procured through the supply chain management policy of the Municipality and deciding whether to consent to the amendment of the contract or agreement.		Council	N/A
116(3)	Considering the reasons for the proposed amendment of a contract or agreement and any representation that may have been received regarding the proposed amendment of a contract or an agreement procured through the supply chain management policy of a municipal entity of which the Municipality is a parent municipality and deciding whether to consent to the amendment of a contract or agreement.		Council	N/A

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
119(2)	Determining the resources or opportunities to be made available for the training of officials involved in the implementation of the supply chain management policy of the Municipality to meet the prescribed competency levels.		Council	CFO
120(1)	Deciding to enter into a public-private partnership agreement.		Council	N/A
120(1)(a)	Determining whether a proposed public-private partnership agreement will provide value for money to the municipality.		Council	N/A
120(1)(b)	Determining whether a proposed public-private partnership agreement will be affordable for the Municipality.		Council	N/A
120(1)(c)	Determining whether a proposed public-private partnership agreement will transfer appropriate technical, operational and financial risk to the private party.		Council	N/A
120(4)	Deciding to conduct a feasibility study before a public-private partnership is concluded.		Council	Accounting Officer
120(5)	Determining whether to apply for the national government's assistance in carrying out and assessing a feasibility study regarding a proposed public-private partnership.		Council	N/A
121(1)	Preparing an annual report for the Municipality.		Council	Accounting Officer
121(4)(f)	Determining any additional information to be contained in the annual report of a municipal entity of which the Municipality is a parent municipality.		Council	Accounting Officer
126(2)(a)	Receiving the financial statements of municipal entity over which the Municipality has sole control or effective control (if it is a private company).		Council	Accounting Officer

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
126(4)	Receiving a report outlining the reasons for the delay from the Auditor-General if she/he is unable to complete an audit within three months after submission of the Municipality's annual financial statements and any consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole control or effective control (if it is a private company).		Council	N/A
			Council	N/A
129(1)	Considering the annual report of the Municipality and of any municipal entity under the Municipality's sole or shared control Adopting an oversight report containing the Council's comments on the annual report(s)		Municipal Council	N/A
129(5)	Deciding whether to adopt guidelines issued by the National Treasury on the manner in which councils should consider annual reports and conduct public hearings and the functioning and composition of any public accounts or oversight committees established by a council to assist it to consider an annual report		Municipal Council	N/A
133(c)(i)	Deciding whether to request the Speaker or another councillor to investigate the reasons for the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council			

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
	Receiving the report of the appointed councillor regarding the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council		Municipal Council	N/A
133(c)(i) i)	Determining the appropriate steps to be taken to ensure that the financial statements are submitted to the Auditor-General or that the annual report, including the financial statements and the audit report on those statements, is tabled in the Council, as the case may be.		Municipal Council	N/A
133(c)(i) ii)	Deciding whether disciplinary steps should be taken against the Municipal Manager or other persons responsible for the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council		Municipal Council	N/A
135(3)	Considering whether the Municipality is, or is likely to, encounter a serious financial problems in meeting its financial commitments		Municipal Council	Mayor
135(3)( a)	Determining the manner of seeking solutions to any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality Defining the solutions to be implemented to solve or avoid any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality		Municipal Council	Mayor

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
135(3)(b)	Informing the MEC responsible for local government and the MEC responsible for finance of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality		Municipal Council	Mayor
135(3)(c)	Notifying organised local government of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality		Municipal Council	Mayor
137(2)	Receiving an assessment of the seriousness of the financial problem in the Municipality, the determination of the provincial executive whether the financial problem experienced by the Municipality, singly or in combination with other problems, is sufficiently serious or sustained that the Municipality would benefit from a financial recovery plan and the request to a suitably qualified person to prepare and submit a financial recovery plan for the Municipality		Municipal Council	Speaker of council
	Receiving a copy of the Municipal Financial Recovery Service's determination of the reasons for the crisis in the Municipality's financial affairs and assessment of the Municipality's financial state		Municipal Council	Speaker of council
141(3)(a)	Participating in consultations with the person or body appointed to prepare a financial recovery plan or an amendment of such plan for the Municipality.		Council	Accounting Officer
144(2)			Council	Accounting Officer
141(3)(c)	Commenting on a draft financial recovery plan or an amendment to such plan for the Municipality.		Council	Accounting Officer
144(2)			Council	Accounting Officer



Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
143(3)(a)	Receiving an approved financial recovery plan for the Municipality		Municipal Council	Speaker of council
145(1)(a)	Implementing an approved financial recovery plan for the Municipality		Municipal Council	
146(1)(a)				Accounting Officer
145(1)(b)	Reporting monthly to the MEC for local government on the implementation of the approved financial recovery plan for the Municipality		Municipal Council	Accounting Officer
147(1)(b)	Receiving progress reports and a final report on any intervention from the MEC for local government or the MEC responsible for finance		Municipal Council	Speaker of council
148(1)(b)(i)	Declaring the Municipality's willingness to fulfil the executive obligation in terms of legislation or the Constitution that gave rise to any discretionary intervention in the Municipality		Municipal Council	N/A
148(3)(a)	Receiving a notification that an intervention in the Municipality has ended		Municipal Council	Speaker of council
152(1)	Deciding to apply to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments		Municipal Council	Accounting Officer
153(1)(a)	Deciding to apply to the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the		Municipal Council	Accounting Officer

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
	Municipality			
153(1)(b)	Deciding to apply to the High Court for an order to suspend the Municipality's financial obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations		Municipal Council	Accounting Officer
153(1)(b)	Deciding to apply to the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA		Municipal Council	Accounting Officer
165(1)	Deciding whether to establish an internal internal audit unit or to outsource the internal audit function.		Council	Accounting Officer
166(1) and (6)	Deciding whether to establish an internal audit committee for –  (a) the Municipality only; or  (b) the Municipality and the local municipalities within the district municipal area; or  (c) the Municipality and any municipal entity under it sole control.		Council  Council  Council  Council	Accounting Officer  Accounting Officer  Accounting Officer  Accounting Officer
166(2)	Receiving reports of the audit committee		Municipal Council	Accounting Officer
166(2)(d)	Requesting the audit committee to investigate the financial affairs of the Municipality or a municipal entity of which the Municipality is a parent		Municipal Council	Mayor

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
166(4)	Determining the number of members of the audit committee		Municipal Council	Accounting Officer
	Determining the nature of the appropriate experience that persons should possess to be considered for appointment as a member of the audit committee		Municipal Council	Accounting Officer
166(5)	Appointing the members of the audit committee of the Municipality and of a municipal entity of which the Municipality is a parent municipality Appointing from amongst the members of an audit committee who is not in the employ of the Municipality or municipal entity a chairperson		Municipal Council	Accounting Officer
168(3)	Considering any guidelines issued by the Minister of Finance in terms of section 168(1) of the MFMA		Municipal Council	Accounting Officer
171(4)(a)	Investigating any allegations of financial misconduct against the Municipal Manager, the Chief Financial Officer, a senior manager or other official of the Municipality unless those allegations are frivolous, vexatious, speculative or obviously unfounded Deciding whether an allegation of financial misconduct against the Municipal Manager, the Chief Financial Officer, a senior manager or other official of the Municipality is frivolous, vexatious, speculative or obviously unfounded.		Municipal Council	Mayor

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
171(4)(b)	Deciding whether an investigation of an allegation of financial misconduct against the Municipal Manager, the Chief Financial Officer, a senior manager or other official of the Municipality revealed anything that warrants the institution of disciplinary proceedings.	Any disciplinary proceedings must be conducted in terms of the relevant collective agreement	Council	Mayor
176(2)	Deciding to recover from a political office-bearer or official of the Municipality any loss or damage suffered by it because of the deliberate or negligent unlawful actions of that political office-bearer or official when performing a function of office.		Council	N/A
178(2)(a)	Submitting to the National Treasury a list of all corporate entities in which the Municipality or a municipal entity under its sole or shared control has an interest.		Council	Accounting Officer
178(2)(b)	Submitting to the National Treasury a list of all public-private partnerships to which the Municipality is a party, with a value of more than one million Rands in total or per annum.		Council	Accounting Officer
178(2)(c)	Submitting to the National Treasury a list of all other types of contracts of the Municipality for a period beyond 1 January 2007 and with a value of more than one million Rands in total or per annum.		Council	Accounting Officer

## DUTIES AND POWERS CONFERRED TO THE MAYOR AND OTHER POLITICAL BODY

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
-	<u>Powers delegated to Executive Mayor and other political body</u>			
Section of MFMA	Power/duty conferred	Conditions		
12(1)	Deciding to set-up a relief, charitable, trust or other fund of whatever description		Mayor or Exco. Comm	Accounting Officer
16(2)	Tabling the annual budget at a Municipal Council meeting	The annual budget must be tabled at least 90 days before 1 July each year. The work output on the annual budget is managed by the Accounting Officer	Mayor or Exco. Comm	Accounting Officer
21(1)(a)	Co-ordinating the processes of preparing the annual budget and reviewing the Municipality's integrated development plan and budget-related policies		Mayor or Exco. Comm	Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
21(1)(b)	Tabling in the Municipal Council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget, the annual review of the integrated development plan and the Municipality's budget-related policies, the tabling and adoption of any amendments to the integrated development plan and the budget-related policies and any consultative processes forming part of the processes	At least 10 months before 1 July each year	Mayor or Exco. Comm	Accounting Officer
21(2)(b)	Implementing the reasonable steps to be taken to review the Municipality's integrated development plan 35		Mayor or Exco. Comm	Budget & Treasury Steering Comm
21(2)(d)	Determining the manner and timing of consultation of the local municipalities within the municipal area, the provincial treasury and such other organs of state as may be prescribed with regard to the Municipality's annual budget		Mayor or Exco. Comm	Budget & Treasury Steering Comm
21(2)(e)	Providing information relating to the budget that may be requested by the National Treasury and any other organ of state	Subject to any limitations that may be prescribed in respect of organs of state other than the National Treasury	Mayor or Exco. Comm	Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
25(3)	Complying with section 55 of the MFMA if the Municipality has not approved an annual budget, including revenue-raising measures necessary to give effect to the budget, by 1 July of any year	Immediately report the matter to the MEC responsible for local government	Mayor or Exco. Comm	Budget & Treasury Steering Comm
26(4)	Obtaining the MEC responsible for finance's approval to withdraw funds from the Municipality's bank accounts, if a budget has not been approved on or before 1 July of each year.		Mayor or Exco. Comm	Accounting Officer
27(1)	Determining the likelihood of the Municipality not being able to comply with the MFMA or other legislation relating to the tabling or approval of an annual budget or compulsory consultation processes		Mayor or Exco. Comm	Accounting Officer
	Informing the MEC responsible for finance of any impending non-compliance by the Municipality of any provisions of the MFMA or any other legislation pertaining to the tabling or approval of an annual budget or compulsory consultation processes		Mayor or Exco. Comm	Accounting Officer
27(2)	Decision to apply to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget		Mayor or Exco. Comm	Accounting Officer
	Applying to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget		Mayor or Exco. Comm	Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
27(3)	Informing the Municipal Council, the MEC responsible for finance and the National Treasury, in writing, of any actual non-compliance by the Municipality of a provision of Chapter 4 of the MFMA and any remedial or corrective measures the Municipality intends to implement to avoid a recurrence of such non-compliance		Mayor or Exco. Comm	Accounting Officer
28(4)	Tabling an adjustments budget in the Municipal Council		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
29(1)	Decision to authorise unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
29(2)(c)	Reporting to the Municipal Council regarding the authorisation of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Such report must be made to the Council at the first Council meeting next ensuing after the authorisation was given	Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee



Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
	Giving written approval for exceeding the amount appropriated in respect of a capital programme		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
52(a)	Decision on the nature and extent of, and manner in which political guidance over the fiscal and financial affairs of the Municipality will be provided		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
52(b)	Decision on the monitoring and oversight mechanisms to be applied to the exercise by the Municipal Manager and the Chief Financial Officer of their powers, functions and duties in terms of the MFMA		Mayor or Exco. Comm	Accounting Officer
52(c)	Decision on the reasonable steps to be taken to ensure that the Municipality performs its constitutional and statutory functions within the limits of the Municipality's approved budget		Mayor or Exco. Comm	Accounting Officer
52(d)	Submitting to the Municipal Council, within 30 days of the end of each quarter, a report on the implementation of the budget and the financial state of affairs of the Municipality		Mayor or Exco. Comm	Accounting Officer
53(1)(a)	Decision on the nature and extent of, and manner in which political guidance is to be given over the budget process and the priorities that must guide the preparation of a budget		Mayor or Exco. Comm	Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
53(1)(b)	Decision on the steps to be taken to co-ordinate the annual revision of the integrated development plan and the preparation of the annual budget		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
	Determining how the integrated development plan is to be taken into account or revised for the purposes of the budget		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
53(1)(c)(i)	Determining the reasonable steps to be taken to ensure that the Municipality approves its annual budget before the start of the budget year		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
53(1)(c)(ii)	Determining the reasonable steps to be taken to ensure he/she approves the Municipality's service delivery and budget implementation plan	The Executive Mayor must approve the annual service delivery and budget implementation	Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
		plan within 28 days after the approval of the budget		
53(1)(c)(iii)	Determining the reasonable steps to be taken to ensure that the annual performance agreements for the Municipal Manager and all senior managers comply with the MFMA, are linked to the measurable performance objectives approved with the budget and to the service delivery and budget implementation plan and are concluded in accordance with section 57(2) of the Municipal Systems Act	In terms of section 57(2)(a) of the Municipal Systems Act the annual performance agreements must be concluded on or before 30 July of each year	Mayor or Exco. Comm	Members of the Municipal Council
53(2)	Reporting to the Municipal Council and the MEC responsible for finance any delay in the tabling of an annual budget, the approval of the service delivery and budget implementation plan or the signing of the annual performance agreements		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
53(3)(a)	Ensuring that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, contained in the service delivery and budget implementation plan, are made public no later than 14 days after the approval of the service delivery and budget implementation plan		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
53(3)(b)	Ensuring that the performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, are made public no later than 14 days after the approval of the Municipality's service delivery and budget implementation plan		Mayor or Exco. Comm	Accounting Officer
	Submission of the annual performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, to the Municipal Council and the MEC responsible for local government		Mayor or Exco. Comm	Accounting Officer
54(1)(a)	Making arrangements for the receipt of a monthly statement on the state of the Municipality's budget and a mid-year corporate performance assessment report	1. The statement a statement regarding the state of the municipality's budget must be submitted not later than 10 working days after the end of	Mayor or Exco. Comm	Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
		each month		
		2. The mid-year performance assessment report must be submitted not later than 25 January of each year	Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
		3. The mid-year corporate performance assessment report must be submitted to the Council not later than 31 January each year	Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
54(1)(b)	Determining the procedures, including reports required to check whether the Municipality's approved budget is implemented in accordance with the service delivery and budget implementation plan		Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee
54(1)(c)	Determining whether it is necessary to make any revisions to the service delivery and budget implementation plan	Revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the Council following approval of an adjustments budget	Mayor or Exco. Comm	Accounting Officer & the Budget & Treasury Steering Committee

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
54(1)(d)	Determining the instructions to be given to the Municipal Manager to ensure that the budget is implemented in accordance with the service delivery and budget implementation plan and that spending of funds and revenue collection proceed in accordance with the budget	If the Municipality faces any serious financial problems, the Executive Mayor must promptly respond to and initiate any remedial or corrective steps proposed by the Municipal Manager to deal with such problems, which may include steps to reduce spending when revenue is anticipated to be less than projected in the Municipality's approved budget,	Mayor or Exco. Comm	The Budget & Treasury Steering Committee & Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
		the tabling of an adjustments budget or steps in terms of Chapter 13 of the MFMA and alert the Council and the MEC for local government to those problems		



Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
54(1)(e)	Considering whether the Municipality faces any financial problems including any emerging or impending financial problems		Mayor or Exco. Comm	The Budget & Treasury Steering Committee & Accounting Officer
54(3)	Making public any revisions of the service delivery and budget implementation plan		Mayor or Exco. Comm	The Budget & Treasury Steering Committee & Accounting Officer
55	Immediately report to the MEC for local government if the Municipality has not approved an annual budget by 1 July of any year or if the Municipality encounters a serious financial problem		Mayor or Exco. Comm	The Budget & Treasury Steering Committee & Accounting Officer
56	Providing guidance to the Municipality to exercise its rights and powers over any municipal entity in which the Municipality has sole or shared control		Mayor or Exco. Comm	Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
59(1)(a)	Deciding to delegate the powers and duties assigned to the Executive Mayor in terms of the MFMA	1. Such power or duty may only be delegated to another member of the Mayoral Committee	Mayor or Exco. Comm	N/A
		2. A delegation by the Executive Mayor must be in writing	Mayor or Exco. Comm	N/A
		3. A delegation by the Executive Mayor does not divest him/her of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty.	Mayor or Exco. Comm	N/A
59(2)	Determining the conditions and limitations of any delegation by the Executive Mayor		Mayor or Exco. Comm	N/A

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
59(3)	Deciding to confirm, vary or revoke any decision taken in consequence of a delegation by the Executive Mayor	No variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision	Mayor or Exco. Comm	N/A
87(3)	Tabling the proposed budget of a municipal entity of which the Municipality is the parent municipality in the Municipal Council	Together with the Municipality's budget for the relevant financial year	Mayor or Exco. Comm	Accounting Officer
87(6)	Considering an application by the board of directors of a municipal entity of which the Municipality is the parent municipality to revise the budget of the municipal entity		Mayor or Exco. Comm	Accounting Officer
87(9)	Tabling the budget or adjusted budget and any adjustments budget of a municipal entity of which the Municipality is the parent municipality at the next Council meeting		Mayor or Exco. Comm	Accounting Officer
102(1)	Receiving a report of the board of directors of a municipal entity of which the Municipality is the parent municipality any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity		Mayor or Exco. Comm	
				Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
103	Receiving a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any interference by a councillor outside that councillor's assigned duties, in the financial affairs of the municipal entity; or the responsibilities of the board of directors of the municipal entity		Mayor or Exco. Comm	Accounting Officer
127(2)	Tabling in the Municipal Council the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control		Mayor or Exco. Comm	Accounting Officer
127(3)(a)	Submitting to the Council a written explanation setting out the reasons for any delay in tabling the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control		Mayor or Exco. Comm	Accounting Officer
130(1)	Determining the reasonable time period to be allowed during a council meeting at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken for the discussion of any written submissions received from the local community or organs of state on the annual report and for members of the local community or any organs of state to address the Municipal Council		Mayor or Exco. Comm	Accounting Officer
131(1)	Ensuring that the Municipality addresses all the issues raised in an audit report		Mayor or Exco. Comm	Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO
133(1)(a)	Tabling in the Municipal Council a written explanation setting out the reasons for the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Municipal Council		Mayor or Exco. Comm	Accounting Officer
136(1)(a)	Participating in consultations with the MEC for local government regarding a serious financial problem in the Municipality		Mayor or Exco. Comm	Accounting Officer
137(1)(d)	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in resolving any financial problem, and if applicable, implementing the financial recovery plan		Mayor or Exco. Comm	Accounting Officer
139(1)(b)	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in implementing the recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan		Mayor or Exco. Comm	Accounting Officer
139(2)	Receiving a request made by the provincial executive to the Municipal Financial Recovery Service to determine the reasons for the crisis in the Municipality's financial affairs, to assess the Municipality's financial state and to prepare an appropriate recovery plan for the Municipality		Mayor or Exco. Comm	Accounting Officer
166(2)	Receiving reports of the audit committee		Mayor or Exco. Comm	Accounting Officer

Section of MFMA	POWER/DUTY CONFERRED	Applicable conditions	DELEGATIONS	
			FROM	TO

#### POWERS & FUNCTIONS ASSIGNED TO THE ACCOUNTING OFFICER

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
-	<u>Powers delegated to Municipal Manager/Accounting Officer</u>				BY THE CFO
Section of MFMA	Specific Detail from each section of the MFMA.				
8(5)	Submission of the Municipality's primary bank account details, and any impending change thereof.	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
9(a)	Submission of the prescribed details regarding any new bank accounts opened for the Municipality	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
9(b)	Submission of the details of the Municipality's bank accounts annually before the start of a financial year	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
10(1)(a)	Administration of the Municipality's bank accounts	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
10(2)	Enforcing compliance with sections 7, 8 and 11 of the MFMA	Accounting Officer	Accounting Officer	Chief Financial Officer	No further sub-delegation permitted
11(1)	Written authorisation to senior financial official to withdraw or authorise the withdrawal of money from the Municipality's bank account for the purpose outlined in terms of sect 11 of the MFMA	Accounting Officer	Accounting Officer	The Chief Financial Officer must be issued with written authorisation by the Accounting Officer to implement the section 11	The Accounting Officer must issue written authorisation to any other senior financial official to implement section 11. This authority lies only with the Accounting Officer
11(4)(a)	Preparation of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) to (j) of the MFMA from the Municipality's bank accounts	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	Tabling of a quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA from the Municipality's bank accounts in the Municipal Council				
11(4)(b)	Submission of quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA to the provincial treasury and the Auditor-General	Accounting Officer	Accounting Officer	Chief Financial Officer	No further sub-delegation permitted
12(4)	Issuing written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of relief, charitable, trust or other fund.	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
22	Making the annual budget public, inviting the community to submit representations in connection therewith and submitting the annual budget to the national and provincial treasuries and affected municipalities	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Budget Planning & Implementation
24(3)	Submission of the approved annual budget to the National Treasury and the provincial treasury	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Budget Planning & Implementation



Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
31(c)	Issuing a certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Budget Planning & Implementation
	Informing the Executive Mayor, the MEC for local government and the Auditor-General, in writing, of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality, whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure and the steps that have been taken to recover or rectify such expenditure and to prevent a recurrence of such expenditure.	Accounting Officer - Directly accountable to the MFMA for implementation	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
32(6)	Reporting alleged irregular expenditure that constitutes a criminal offence and alleged theft and fraud which occurred in the Municipality to the SAPS.	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Legal Services

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
37(2)	Determining the projected amount of any allocation proposed to be transferred to another municipality during each of the next three financial years and notifying the receiving municipality thereof.	Accounting Officer	Accounting Officer		
45(2)(b)	Signing a debt agreement or other document which creates or acknowledges any short term debt	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Legal Services & Manager - Financial Management & Reporting
46(2)(b)	Signing a debt agreement or other document which creates or acknowledges any long-term debt	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Legal Services & Manager - Financial Management & Reporting
60(b)(i)	Provide guidance and advice on compliance with this Act to the Political Structures, Political Office Bearers and Officials of the Municipality and or Municipal Entity	Accounting Officer	Accounting Officer	Chief Financial Officer	
61(1)(b)		MM/AO	Accounting officer		

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	Deciding the timing and manner of disclosing to the Municipal Council and the Executive Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Municipal Council or the Executive Mayor.	Accounting Officer	Accounting Officer	Chief Financial Officer	
62(1)(a)	Deciding the reasonable steps to be taken to ensure that the resources of the Municipality are used effectively, efficiently and economically	Accounting Officer	Accounting Officer	Chief Financial Officer and Senior Managers	Senior Managers within Depts of the Municipality
62(1)(b)	Deciding the reasonable steps to be taken to ensure that full and proper records of the Municipality's financial affairs are kept in accordance with any prescribed norms and standards	Accounting Officer	Accounting Officer	Chief Financial Officer	All Senior BTO Managers
62(1)(c)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control	Accounting Officer	Accounting Officer	Chief Financial Officer and Senior Managers	All Senior BTO Managers & Other Divisional Managers
62(1)(c)(ii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of	Accounting Officer	Accounting Officer	Chief Financial Officer and	All Senior BTO Managers & Other Divisional

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	internal audit operating in accordance with any prescribed norms and standards			Senior Managers	Managers
62(1)(d)	Deciding the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	Accounting Officer	Accounting Officer	Chief Financial Officer and Senior Managers	All Senior BTO Managers & Other Divisional Managers
62(1)(e)	Deciding the reasonable steps to be taken to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the Municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA	Accounting Officer	Accounting Officer	Chief Financial Officer and Senior Managers	Manager - Legal Services & Manager - Financial Management & Reporting and Manager Internal Audit
62(1)(f)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a tariff policy referred to in section 74 of the Municipal Systems Act	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management and all other relevant Divisional Managers

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
62(1)(f)(ii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a rates policy as required in terms of section 3 of the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004)	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management and all other relevant Divisional Managers
62(1)(f)(iii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a credit control and debt collection policy referred to in section 96(b) of the Municipal Systems Act	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management and all other relevant Divisional Managers
62(1)(f)(iv)	Deciding the reasonable steps to be taken to ensure that that the Municipality has and implements a supply chain management policy in accordance with Chapter 11 of the MFMA	Accounting Officer	Accounting Officer	Chief Financial Officer & all Senior Managers	Senior BTO Manager - Finance Governance & Operational Management and Manager - Legal Services

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
63(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the Municipality	Accounting Officer	Accounting Officer	Chief Financial Officer, IT Manager & Manager - Internal Audit	Senior BTO Manager - Asset & Liability Management
63(2)(b)	Deciding the reasonable steps to be taken to ensure that the Municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	Accounting Officer	Accounting Officer	Chief Financial Officer, IT Manager & Manager - Internal Audit	Senior BTO Managers - Asset & Liability Management & Financial Management & Reporting
63(2)(c)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed	Accounting Officer	Accounting Officer	Chief Financial Officer, IT Manager & Manager - Internal Audit	Manager - Financial Management & Reporting
64(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has effective revenue collection systems consistent with section 95 of the	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	Municipal Systems Act and the Municipality's credit control and debt collection policy				Management
64(2)(b)	Deciding the reasonable steps to be taken to ensure that revenue due to the Municipality is calculated on a monthly basis	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management
64(2)(c)	Deciding the reasonable steps to be taken to ensure that accounts for regional services council levies and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management
64(2)(d)	Deciding the reasonable steps to be taken to ensure that all money received is promptly deposited in accordance with the MFMA into the Municipality's primary and other bank accounts	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers Manager - Financial Management & Reporting and Revenue & Debt Management

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
64(2)(e)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Revenue & Debt Management and Manager - Revenue & Debt Management including the support from the Manager IT
64(2)(f)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of debtors and revenue	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager Internal Audit	Senior BTO Manager - Revenue & Debt Management and Manager - Financial Management & Reporting



Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
64(2)(g)	Deciding the reasonable steps to be taken to ensure that the Municipality charges interest on arrears, except where the Council has granted exemptions in accordance with its budget-related policies and within a prescribed framework	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management
64(2)(h)	Deciding the reasonable steps to be taken to ensure that all revenue received by the Municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Revenue & Debt Management and Financial Management & Reporting
64(3)	Informing the National Treasury of any payments due by an organ of state to the Municipality in respect of municipal tax or for municipal services, if such payments are regularly in arrears for periods of more than 30 days.	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Revenue & Debt Management and Financial Management & Reporting. (This would relate to

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
					the support and information that is provided to the CFO. The A/O & CFO would inform the NT)
64(4)(a)	Deciding the reasonable steps to be taken to ensure that any funds collected by the Municipality on behalf of another organ of state is transferred to that organ of state at least on a weekly basis	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Financial Management & Reporting (This would relate to the support and information that is provided to the CFO).
64(4)(b)	Deciding the reasonable steps to be taken to ensure that funds collected by the Municipality on behalf of another organ of state are not used for purposes of the Municipality	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
65(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(b)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises expenditure when it is incurred and that accounts for creditors of, and payments made by, the Municipality	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(c)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of creditors and payments	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(d)	Deciding the reasonable steps to be taken to ensure that payments by the Municipality are made directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed and either electronically or by way of non-transferable cheques	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(e)	Deciding the reasonable steps to be taken to ensure that all money owing by the Municipality be paid within 30 days of receiving the relevant	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management &

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	invoice or statement, unless prescribed otherwise for certain categories of expenditure				Reporting
65(2)(f)	Deciding the reasonable steps to be taken to ensure that the Municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(g)	Deciding the reasonable steps to be taken to ensure that any dispute concerning payments due by the Municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(h)	Deciding the reasonable steps to be taken to ensure that the Municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost-effective	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Finance Governance & Operational Management

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
65(2)(j)	Deciding the reasonable steps to be taken to ensure that all financial accounts of the Municipality are closed at the end of each month and reconciled with its records	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
66	Reporting to the Council on all expenditure incurred by the Municipality on staff salaries, wages, allowances and benefits, and in a manner that discloses such expenditure per type of expenditure	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
67(1)	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction, -	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
	(d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
	(e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	Entering into an agreement with an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
67(2)	Obtaining the approval of the provincial treasury to transfer funds of the Municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction if there has been a failure by an organisation or body to comply with the requirements of section 67(1) of the MFMA in respect of a previous transfer	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
67(3)	Determining the appropriate mechanisms to ensure compliance by an organisation or body outside any sphere of government to whom funds of the Municipality was transferred otherwise than in compliance with a commercial or other business transaction with – (a) any agreement with the Municipality,	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	(b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement,	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
	(c) to report at least monthly to the Municipal Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Municipal Manager promptly;	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
	(d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
	(e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
67(4)	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction is an organisation or body serving the poor or used by government as an	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	agency to serve the poor				
68(a)	Assisting the Executive Mayor in performing the budgetary steps assigned to the Executive Mayor	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Managers	Senior BTO Manager - Budget Planning & Implementation
68(b)	Determining the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to the Executive Mayor	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Managers	Senior BTO Manager - Budget Planning & Implementation
	Making the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to the Executive Mayor available to him/her				
69(1)(a)	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation



Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
69(1)(b)	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that revenue and expenditure are properly monitored	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation
69(2)	Determining whether it is necessary to prepare an adjustments budget	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation
	Preparing an adjustments budget and submitting it to the Executive Mayor for consideration and tabling in the Council	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation
69(3)(a)	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, a draft service delivery and budget implementation plan for the budget year	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation
69(3)(b)	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, drafts of the annual performance agreements as required in terms of section 57(l)(b) of the	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior	

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	Municipal Systems Act for the Municipal Manager and all senior managers			Managers	
70(1)	Reporting in writing to the Municipal Council any impending shortfalls in budgeted revenue and overspending of the Municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Budget Planning & Implementation and Revenue & Debt Management
70(2)	Informing the National Treasury that the Municipality's bank account or, if the Municipality has more than one bank account, the consolidated balance in those bank accounts, shows a net overdrawn position for a period exceeding a prescribed period	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
71(1)	Submitting to the Executive Mayor and the provincial treasury, within 10 working days after the end of each month, a statement in the prescribed format on the state of the municipality's budget	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Budget Planning & Implementation

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
					and Revenue & Debt Management and Financial Management & Reporting
71(5)	Submitting to the national or provincial organ of state or municipality which transferred an allocation during any particular month to the Municipality within 10 working days after the end of the month concerned a statement indicating the amount of any allocations received and actual expenditure on those allocations, excluding expenditure on its share of the local government equitable share and allocations exempted by the annual Division of Revenue Act from compliance with this requirement	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Financial Management & Reporting, Budget Planning & Implementation and Revenue & Debt Management
72(1)(a)	Performing an assessment of the Municipality's performance during the first half of each financial year	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management , Manager IDP &	Senior BTO Managers - Financial Management & Reporting and Budget Planning &

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
				Performance Management	Implementation
72(1)(b)	Submitting the mid-year performance assessment report to the Executive Mayor, the National Treasury and the Provincial Treasury	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Financial Management & Reporting and Budget Planning & Implementation
72(3)	Determining whether it is necessary to recommend that an adjustments budget be considered and that revised projections for revenue and expenditure is necessary	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	Senior BTO Managers - Financial Management & Reporting and Budget Planning & Implementation

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
73(a)	Informing the provincial treasury of any failure by the Municipal Council to adopt or implement a budget-related policy or a supply chain management policy	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Finance Governance & Operational Management
73(b)	Informing the provincial treasury of any non-compliance by a political structure or political office-bearer of the Municipality with a budget-related policy or the supply chain management policy	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Finance Governance & Operational Management
74(1)	Submitting to the National Treasury, the provincial treasury, the department for local government and the Auditor-General such information, returns, documents, explanations and motivations as may be prescribed or as may be required.	Accounting Officer	Accounting Officer	Chief Financial Officer	All Senior BTO Managers

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
74(2)	Reporting his/her inability to comply  with any of the responsibilities in terms of the MFMA, together with reasons, to the Executive Mayor and the provincial treasury	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Finance Governance & Operational Management
75(1)	Ensuring that the required documents are uploaded to, and available on, the Municipality's website within five days after its tabling in the Council or on the date on which it must be made public, whichever occurs first	Accounting Officer	Accounting Officer	Chief Financial Officer & IT Manager	Senior BTO Manager - Budget Planning and Implementation
77(1)	Deciding to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as "top management"	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
79(1)(a)	Developing an appropriate system of delegation that will both maximise administrative and operational efficiency and provide adequate checks and balances in the Municipality's financial administration for the proper application of the MFMA.	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	Sub Delegation by Senior Managers to Divisional Managers

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
79(1)(b)	Delegating to a member of the Municipality's top management or any other official of the Municipality any of the powers or duties assigned to an accounting officer in terms of the MFMA or any powers or duties reasonably necessary to assist the accounting officer in complying with a duty which requires the accounting officer to take reasonable or appropriate steps to ensure the achievement of the aims of a specific provision of the MFMA.	Accounting Officer	Accounting Officer		
79(1)(c)	Regularly reviewing delegations issued to a member of the Municipality's top management or any other official of the Municipality and, if necessary, amending or withdrawing any of those delegations.	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
79(2)	Reviewing and confirming, varying or revoking any decision taken in consequence of a delegation or sub-delegation in terms of the MFMA.	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
80(2)(b)	Allocating officials of the Municipality to the Chief Financial Officer.	Accounting Officer	Accounting Officer	Chief Financial Officer	

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
84(1)(b)	Making an assessment of the impact of the shifting of a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
84(2)(a)(i) (aa)	Publishing an information statement regarding the Municipality's intention to establish and/or participate in a municipal entity	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
84(2)(a)(i) (bb)	Inviting the local community, organised labour and other interested persons to submit comments or representations in respect of the Municipality's intention to establish and/or participate in a municipal entity	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
84(2)(a)(ii)	Soliciting the views and recommendations of the National Treasury and the provincial treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	



Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
86(2)	Submitting the information received from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s) to the Auditor-General, the National Treasury and the provincial treasury	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Financial Management & Reporting
87(11)	Receiving a monthly statement in the prescribed format on the state of the budget of a municipal entity of which the Municipality is the parent municipality	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation
101(2)	Tabling a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality on any financial problems of the entity in the first Council meeting next ensuing	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Financial Management & Reporting and Budget Planning & Implementation and Revenue & Debt Management

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
102(1)	Receiving a report of the board of directors of a municipal entity of which the Municipality is the parent municipality any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity.	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal Services	Senior BTO Manager - Financial Management & Reporting
114(1)	Submitting a report containing the reasons for deviating from such recommendation to the Auditor-General, the provincial treasury and the National Treasury if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the Municipality is approved	Accounting Officer	Accounting Officer	<b>Not Delegated</b>	<b>Not Delegated</b>
115(1)(a)	Implementing the Municipality's supply chain management policy	Accounting Officer	Accounting Officer	Chief Financial Officer & all Senior Managers	Senior BTO Manager - Supply Chain
115(1)(b)	Determining the reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimise the likelihood of fraud, corruption, favouritism and unfair and irregular practices	Accounting Officer	Accounting Officer	Chief Financial Officer & all Senior Managers & Manager -	Senior BTO Manager - Supply Chain

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
				Legal Services	
116(2)(a)	Determining the reasonable steps that must be taken to ensure that a contract or agreement procured through the supply chain management policy of the Municipality is properly enforced	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and the Manager - Legal Services	Senior BTO Manager - Supply Chain
116(2)(b)	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and Manager - PM	Senior BTO Manager - Finance Governance & Operational Management

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
116(2)(c)	Determining the capacity that needs to be established within the Municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager - Corporate Services, Performance Management	Senior BTO Manager - Supply Chain
	Establishing the capacity in the Municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis				
116(2)(d)	Regularly report to the Municipal Council regarding the management of contracts and/or agreements and the performance of contractors.	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager - Corporate Services, Performance	Senior BTO Manager - SCM
	Determining the frequency/regularity of reports to be submitted to the Municipal Council regarding the management of contracts and/or agreements and the performance of contractors.				

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
				Management	
116(3)(a)	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of the Municipality in the Council	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and Manager - Legal Services	Senior BTO Manager - Finance Governance & Operational Management
116(3)(b)	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of the Municipality and inviting the local community to submit representations to the Municipality	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager	Senior BTO Manager - Finance Governance & Operational Management

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
120(6)(a)	Submitting the report on the feasibility study together with all other relevant documents to the Council for a decision, in principle, on whether the municipality should continue with the proposed public-private partnership	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and the Manager - Legal Services	Senior BTO Manager - Finance Governance & Operational Management
120(6)(b)	Making the particulars of the proposed public-private partnership, including the report on the feasibility study and inviting the local community and other interested persons to submit to the Municipality comments or representations in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Municipal Council at which the matter is to be considered	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Finance Governance & Operational Management

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
120(6)(c)	Soliciting the views and recommendations of the National Treasury, the national department responsible for local government, the responsible national department if the proposed public-private partnership involves the provision of water, sanitation, electricity or any other service as may be prescribed and any other national or provincial organ of state as may be prescribed in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Municipal Council at which the matter is to be considered	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and the Manager - Legal Services	Senior BTO Manager - Finance Governance & Operational Management
121(3)(e)	Performing an assessment of any arrears on municipal taxes and service charges for inclusion in the Municipality's annual report	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue Management

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
121(3)(f)	Performing an assessment of the Municipality's performance against the measurable performance objectives referred to in section 17(3)(b) of the MFMA for revenue collection from each revenue source and for each vote in the Municipality's approved budget for the relevant financial year for inclusion in the Municipality's annual report	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Managers and Manager Performance Management	Senior BTO Manager - Revenue Management
122(1)/  126(1)(a)	Preparing annual financial statements which fairly presents the state of affairs of the Municipality, its performance against its budget, its management of revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of the financial year  Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	Accounting Officer	Accounting Officer	Chief Financial Officer	All Senior BTO Managers
126(1)(b)	Preparing consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole control or over which it has effective control within the meaning of the Municipal Systems Act of a municipal entity	Accounting Officer	Accounting Officer	Chief Financial Officer	



Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
	which is a private company				
127(1)	Receiving the annual report of a municipal entity of which the Municipality is a parent municipality	Accounting Officer	Accounting Officer	Chief Financial Officer	
127(5)(a)	Publishing the annual report and inviting the local community to submit representations in connection with the annual report	Accounting Officer	Accounting Officer	Chief Financial Officer	
127(5)(b)	Submitting the annual report to the Auditor-General, the provincial treasury and the provincial department responsible for local government	Accounting Officer	Accounting Officer	Chief Financial Officer	
128	Monitoring whether the accounting officer of any municipal entity under the sole or shared control of the Municipality has complied with sections 121(1) and 126(2) of the MFMA, establish the reasons for any non-compliance and report any non-compliance, together with the reasons for such non-compliance, to the Municipal Council, the provincial treasury and the Auditor-General	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
129(2)(a)	Attending the meetings of the Municipal Council and its committees where the annual report is discussed and responding to questions concerning the report	Accounting Officer	Accounting Officer		

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
129(2)(b)	Submitting copies of the minutes of meetings of the Municipal Council and its committees where the annual report was discussed to the Auditor-General, the provincial treasury and the provincial department responsible for local government	Accounting Officer	Accounting Officer	Chief Financial Officer	
129(3)	Publishing the oversight report regarding the annual report	Accounting Officer	Accounting Officer	Chief Financial Officer	
132(2)	Submission of the Municipality's annual report and oversight report and the annual report and oversight report of a municipal entity under the Municipality's sole or shared control to the provincial legislature	Accounting Officer	Accounting Officer	Chief Financial Officer	
146(1)(c)	Reporting monthly to the MEC responsible for finance on the implementation of a financial recovery plan for the Municipality resulting from a mandatory provincial intervention	Accounting Officer	Accounting Officer	Chief Financial Officer	All Senior BTO Managers
	Bringing an application to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal	

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
				Services	
152(2)	Giving notice of an application by the Municipality to the High Court for an order to stay all legal proceedings, including the execution of legal process, to persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal Services	
153(1)(b)	Bringing an application in the High Court for an order to suspend the Municipality's financial obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal Services	
153(3)	Giving notice of an application in the High Court for an order to suspend the Municipality's financial obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal Services	

Section of MFMA	Power & Functions Conferred	RESPONSIBILITY	DELEGATED		
			FROM	TO	SUB DELEGATED TO
167(2)(a)	Recovering any amount paid or given in cash or in kind to a to a person as a political office-bearer or as a member of a political structure of the Municipality otherwise than in accordance with the framework of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998), including any bonus, bursary, loan, advance or other benefit	Accounting Officer	Accounting Officer	Chief Financial Officer	

## POWERS OF OTHER OFFICIAL

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
	<b><u>Powers delegated to Other Parties</u></b>			

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
Section of the MFMA	Power/duty conferred	Applicable Conditions		
81(1)(b)	Advising the Municipal Manager on the exercise of powers and duties assigned to her/him in terms of the MFMA		CFO	N/A
81(1)(c)	Assisting the Municipal Manager in administering the Municipality's bank accounts and in the preparation and implementation of the Municipality's budget		CFO	
81(1)(d)	Advising senior managers and other senior officials in the exercise of powers and duties assigned or delegated to them		CFO	Senior Manager in Finance
82	Deciding to sub-delegate any powers and duties to employees in the Budget and Treasury Office	A sub-delegation must be in writing, is subject to such limitations or conditions as the Chief Financial Officer may impose and does not divest the Chief Financial Officer of the responsibility concerning the delegated duty.	CFO	Senior Manager in Finance

Section of MFMA	Power/duty conferred	Applicable conditions	DELEGATIONS	
			FROM	TO
82(4)	Reviewing and confirming, varying or revoking any decision taken in consequence of a sub-delegation by the Chief Financial Officer		CFO	N/A

### Local Government: Municipal Property Rates Act 2004 (Act No 6 of 2004)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
3(1)	Adopting a policy consistent with this Act on the levying of rates on rateable property in the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
4(2)	Displaying the Municipality's draft rates policy for a period of at least 30 days at the Municipality's head and satellite offices and libraries	Municipal Manager	Director Corporate Services		
	Displaying the Municipality's draft rates policy for a period of at least 30 days on the Municipality's website	Municipal Manager	Chief Financial Officer		
	Giving notice of that a draft rates policy has been drafted and that it is available for comment	Municipal Manager	Director Corporate Services		
4(3)	Considering comments and representations when considering the draft rates policy	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
5(1)	Annually reviewing the Municipality's rates policy	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
6(1)	Adopting by-laws to give effect to the implementation of the Municipality's rates policy	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
8(1)	Deciding, in terms of the criteria set out in the Municipality's rates policy, to levy different rates for different categories of rateable property	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Delegated powers  
Tswelopele Local Municipality

9(1)	Assigning properties used for multiple purposes to a category for rates purposes	Council	Municipal Manager	After consultation with the manager responsible for town planning	
11(2)	Determining the uniform fixed amount instead of a rate based on market value payable in respect of a property	Council	None		
12(2)	Reviewing the rate randage of rates	Council	None		
14(2)	Publishing the resolution levying rates in the Provincial Gazette	Municipal Manager	Director Corporate Services		
14(3)	Displaying the resolution levying rates at the Municipality's head and satellite offices and libraries	Municipal Manager	Director Corporate Services		
	Displaying the resolution levying rates on the Municipality's website	Municipal Manager	Director Corporate Services		
	Advertising in the media that the council has passed a resolutions levying rates and that the resolution is open for public inspection	Municipal Manager	Director Corporate Services		
15(1)(a)	Deciding to exempt a specific category of owners of properties, or the owners of a specific category of properties, from payment of a rate levied on their property	Council	None		
15(1)(b)	Deciding to grant to a specific category of owners of properties, or to the owners of a specific category of properties, a rebate on or a reduction in the rates payable in respect of their properties	Council	None		
15(2)	Determining in respect of owners of categories of property categories for the purpose of granting exemptions, rebates or reductions	Council	None		



15(3)	Tabling in the council – (a) a list of all exemptions, rebates and reductions granted during the previous financial year; and (b) a statement reflecting the income for the municipality foregone during the previous financial year	Municipal Manager	None		
18(1)	Deciding to apply to the Minister of Provincial and Local Government to be exempted from section 17(1) (a), (e), (g) or (h)	Council	None		
20(3)	Deciding to apply to the Minister of Provincial and Local Government for exemption from an upper limit on the percentage by which rates on properties or a rate on a specific category of properties may be increased set by the Minister	Council	None		
21(5)	Deciding to apply to the MEC of Local Government and Housing for an extension of the phasing in period for rates	Council	None		
22(1)	Determining – (a) an area within the Municipality as a special rating area; (b) an additional rate on property in the special rating area	Council	None		
22(2)(a)	Consulting the local community regarding the boundaries of a special rating area and the proposed improvement or upgrading of the area	Council	Speaker	In consultation with the relevant ward councillors	
22(2)(b)	Obtaining the consent of the majority of the members of the local community in the proposed special rating area who will be liable for paying the additional rate	Council	Speaker	In consultation with the relevant ward councillors	

Delegated powers  
Tswelopele Local Municipality

22(3)(a)	Determining the boundaries of a special rating area	Council	None		
22(3)(b)	Determining how a special rating area is to be improved or upgraded by funds derived from the additional rate	Council	None		
22(3)(c)	Establishing separate accounting and other record-keeping systems regarding the revenue generated by the additional rate and the improvement and upgrading of the area	Municipal Manager	Chief Financial Officer		
22(3)(d)	Deciding to establish a committee composed of persons representing the community in the area to act as a consultative and advisory forum for the municipality on the improvement and upgrading of the area	Council	None		
23(1)	Compiling and maintaining register of properties situated within the Municipality	Council	Chief Financial Officer		
23(4)	Displaying the register of properties on the Municipality's website	Council	Chief Financial Officer		
23(5)	Annual updating the of the register of properties	Council	Chief Financial Officer		

24(2)(b)	Deciding, in respect of agricultural property that is owned by more than one owner in undivided shares, to – (a) hold the joint owners of agricultural land jointly and severally liable for the amount due for rates on the property concerned; or (b) hold any joint owner only liable for that portion of the rates levied on the property that represents that joint owner's undivided share in the agricultural property	Council	Municipal Manager		
26(1)	Deciding to recover a rate – (a) on a monthly basis or less often as may be prescribed in terms of the Municipal Finance Management Act; or (b) annually, as may be agreed to with the owner of the property	Council	None		
26(2)	Determining the date on which rates must be paid	Council	None		
27(1)	Furnishing each person liable for the payment of a rate with a written account	Council	Chief Financial Officer		
28(1)	Deciding to recover any rate in arrears on the tenant or occupier of the property concerned	Council	Chief Financial Officer		
28(4)	Requesting the occupier or tenant of a property to furnish the municipality with a written statement specifying all payments to be made by the tenant or occupier to the owner of the property for rent or other money payable on the property during a period determined by the municipality	Council	Chief Financial Officer		

Delegated powers  
Tswelopele Local Municipality

29(1)	Deciding to recover the amount due for rates on a property in whole or in part from the agent of the owner	Council	Chief Financial Officer		
29(4)	Requesting the agent to furnish the municipality with a written statement specifying all payments for rent on the property and any other money received by the agent on behalf of the owner during a period determined by the municipality	Council	Chief Financial Officer		
30(2)(b)	Deciding to apply to the Minister of Provincial and Local Government for exemption from the obligation to value properties excluded from rates in terms of section 17(1) (e), (g) and (i) of the ACT	Council	None		
31(1)	Determining the valuation date	Council	None		
32(1)(b)	Determining the period of validity of a valuation roll	Council	None		
32(2)(b)	Deciding to apply to the MEC of Local Government and Housing to extend the validity of the valuation roll to five years	Council	None		
33(1)	Deciding whether to designate an official of the Municipality or a person in private practice as its municipal valuer	Council	None		
33(2)	Concluding a written contract setting out the terms and conditions of the designation of a person as municipal valuer	Council	Municipal Manager		
33(4)	Deciding to withdraw a person's designation as valuer	Council	None		

Delegated powers  
Tswelopele Local Municipality

---

35(1)	Deciding whether to designate one or more officials of the Municipality or persons in private practice as assistant municipal valuers	Municipal Manager	None		
35(2)	Deciding to consent to the designation by the municipal valuer (if she/he is a person in private practice) to designate persons in private practice as assistant municipal valuers	Municipal Manager	None		
35(5)	Deciding to withdraw, or to instruct the valuer to withdraw, the designation of a person as assistant valuer	Municipal Manager	None		
36(1)	Deciding whether to designate one or more officials of the Municipality or persons who are not officials as data-collectors to assist the valuer with the collection of data and other related work	Municipal Manager	None		
36(2)	Deciding to consent to the designation by the valuer (if she/he is a person in private practice) to designate persons who are not officials of the Municipality as data-collectors to assist the valuer with the collection of data and other related work	Municipal Manager	None		
36(5)	Deciding to withdraw, or to instruct the valuer to withdraw, the designation of a person as data collector	Municipal Manager	None		

38(1)	Deciding to enter into an agreement with another municipality or municipalities to designate a single municipal valuer and to share the costs of preparing valuation rolls	Council	None		
45(3)	Considering and approving a mass valuation system or technique	Council	None	1. If the available market-related data of any category of rateable property is not sufficient for the proper valuation of the properties concerned 2. After having considered any recommendations of its municipal valuer	
49(1)	Publishing the valuation roll submitted by the valuer and inviting every person who wishes to lodge an objection in respect of any matter in, or omitted from, the roll to do so in the prescribed manner within the stated period	Municipal Manager	Director Corporate Services		
50(1)(b)	Determining the reasonable fee payable in respect of extracts from the valuation roll	Council	None		
50(3)	Designating persons to assist objectors who cannot read or write to lodge an objection	Municipal Manager	Director Corporate Services		
50(4)	Informing the council of any matter reflected in, or omitted from, the valuation roll that affects the interests of the Municipality	Municipal Manager	None		
	Deciding to lodge an objection against any matter reflected in, or omitted from, the valuation roll	Council	Municipal Manager		
50(5)	Submitting all objections received to the valuer	Municipal Manager	Director Corporate Services		

52(1)(b)	Submitting the valuer's decision, the reasons for the decision and all relevant documentation, for review to the valuation appeal board	Municipal Manager	Director Corporate Services		
53(2)	Receiving applications for reasons for the valuer's decision in respect of an objection to the valuation roll	Municipal Manager	Director Corporate Services		
54(1)	Receiving appeals against the decision of the valuer relating to an objection to the valuation roll	Municipal Manager	Director Corporate Services		
54(1)(c)	Deciding to appeal against the decision of the valuer regarding an objection against the valuation roll if the municipality's interests are affected	Council	Director Corporate Services		
54(3)	Submitting any appeal against the valuers decision with regard to an objection against the valuation roll to the chairperson of the valuation appeal board and a copy to the valuer	Municipal Manager	Director Corporate Services		
55(2)	Calculating, if an adjustment in the valuation of a property affects the amount due for rates payable on that property, the amount actually paid on the property since the effective date and the amount payable in terms of the adjustment on the property since the effective date and recovering or repaying the difference plus interest	Municipal Manager	Director Corporate Services		
66(1)	Considering a request by the valuation appeal board to provide it with the necessary office accommodation and other administrative assistance	Council	Director Corporate Services		
77	Causing the valuation roll to be updated annually	Council	Director Corporate Services		

78(2)(a)	Deciding whether to designate the valuer who prepared the valuation roll to compile a supplementary valuation roll	Council	None		
----------	--	---------	------	--	--

### Businesses Act 1991 (Act No 71 of 1991)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
2(1)(b)	Concurring to the appointment of the Municipality as a licensing authority and to the area of such licensing authority	Council	None		
2(4)	Considering and approving (with or without conditions) or denying applications for licences	Council	Manager Community Services		
2(5)	Requesting the SAPS for a report stating particulars of all convictions (if any) recorded against an applicant for a licence to carry on a business for the provision of certain types of health facilities or entertainment	Council	Manager Community Services		
2(7)	Deciding an application by a licence holder to endorse a licence	Council	Manager Community Services		
2(8)(a)	Deciding, on the ground of changed circumstances in relation to a business or the relevant business premises, by way of endorsement on the licence concerned amend a condition or impose a condition on a licence	Council	Manager Community Services		
2(8)(b)	Requiring a licence holder in writing to produce his/her licence	Council	Manager Community Services		



Delegated powers  
Tswelopele Local Municipality

2(9)	Deciding to withdraw or suspend a licence	Council	Manager Community Services		
6A(1)	Making by-laws regarding the supervision and control of the carrying on of the business of street vendor, pedlar or hawker	Council	None		
6A(2)(a)	By resolution declaring any place in the Municipality to be an area in which the carrying on of the business of street vendor, pedlar or hawker may be restricted or prohibited	Council	None	After receiving a report and recommendations from the Executive Committee	
6A(2)(d)	Causing a plan to be prepared showing the position of the area in which the carrying on of the business of street vendor, pedlar or hawker is restricted or prohibited	Council	Manager Community Services		
6A(2)(e)	Publishing in a newspaper circulating in the Municipality a notice setting out the Council's intention to effect the restriction or prohibition concerned as well as its reasons therefor, stating that the plan is open for inspection at a place and during the hours mentioned in the notice and calling upon any person who has any objection to the intended restriction or prohibition to submit in writing to the Municipality	Council	Manager Corporate Services		
6A(2)(g)	Considering objections against the Municipality's intention to declare an area in which the carrying on of the business of street vendor, pedlar or hawker may be restricted or prohibited	Council	None	After receiving a report and recommendations from the Executive Committee	

6A(2)(h)	Publishing the declaration of an area in which the carrying on of the business of street vendor, pedlar or hawker is restricted or prohibited in the <i>Provincial Gazette</i>	Council	Manager Corporate Services		
6A(2)(i)	Submitting to the Administrator a copy of the plan of the area in which the carrying on of the business of street vendor, pedlar or hawker is restricted or prohibited, the notice published in the newspaper in, the notice published in the <i>Provincial Gazette</i> and all objections received, together with its comments thereon	Council	Manager Community Services		
6A(3)(a)	Leasing any verge as defined in section 1 of the Road Traffic Act, 1989, or any portion thereof, to the owner or occupier of the contiguous land	Council	Manager Community Services		
6A(3)(b)	Setting aside by resolution and demarcate stands or areas for the purposes of the carrying on of the business of street vendor, pedlar or hawker on any public road the ownership or management of which is vested in the Municipality or on any other property in the occupation and under the control of the Municipality	Council	None	After receiving a report and recommendations from the Executive Committee	
6A(3)(c)	Letting or otherwise allocating any stand or area demarcated for the purposes of the carrying on of the business of street vendor, pedlar or hawker	Council	Manager Community Services		

## Fire Brigade Services Act 1987 (Act No 99 of 1987)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
3(1)	Deciding to establish and maintain a fire brigade service intended to be employed for preventing the outbreak or spread of a fire, fighting or extinguishing a fire, the protection of life or property against a fire or other threatening danger, the rescue of life or property from a fire or other danger, subject to the provisions of the Health Act, the rendering of an ambulance service as an integral part of the fire brigade service or the performance of any other function connected with any of these matters	Council	None	Subject to receiving a report and recommendations from the Executive Committee	
5(1)	Appointing a person who possesses the prescribed qualifications and experience, as chief fire officer	Council	None		
5(3)	Appointing a member of the fire brigade service as acting chief fire officer to perform the duties and functions of the chief fire officer	Council	Municipal Manager		
6(1)	Appointing any person who possesses the prescribed qualifications and experience, as a member of the fire brigade service to perform such functions as may be assigned to him/her by the chief fire officer	Council	Municipal Manager		

	After due consideration of the peculiar circumstances of a specific case, waiving the prescribed qualifications and experience for appointing a person as a member of the fire brigade service	Council	Municipal Manager		
6A(1)	Deciding to establish a fire brigade reserve force	Council	None		
6A(2)	Appointing a person who applies therefor, as a member of a fire brigade reserve force	Chief Fire Officer	None		
6A(4)	Discharging a member of a fire brigade reserve force	Chief Fire Officer	None		
9(2)	Determining the costs incurred by or at the request of a chief fire officer for the purposes salvaging, or removing and placing in safe custody, any movable property which in his/her opinion was in danger	Council	Chief Financial Officer		
	Recovering any cost incurred for the salvaging, moving and packing into safe custody of any movable property on the owner thereof	Council	Chief Financial Officer		
9(3)	Deciding to sell any movable property salvaged, moved and placed into safe custody at public auction to defray the cost of its salvaging, moving and placing in safe custody	Council	Municipal Manager		

Delegated powers  
Tswelopele Local Municipality

10(1)	Determining the fees payable by a person on whose behalf the fire brigade service is applied for the attendance of the service for the use of the service and equipment or for any material consumed	Council	Council		
10(4)	Considering and deciding any objection against an assessment made by the chief fire officer regarding the cost incurred in respect of the application of the fire brigade service	Council	Executive Committee	Subject to receiving a report and recommendations from the Chief Financial Officer	
12(1)	Deciding, with a view to the more efficient employment of its service, to conclude a written agreement with any other controlling authority in terms of which the parties undertake to co-operate on the conditions as may be agreed upon or with any other person in terms of which the controlling authority undertakes to make available its service to that person, or in terms of which that person undertakes to make available his material or equipment to the controlling authority	Council	None		
16(1)	Making by-laws for the Municipality regarding any matter which it may deem necessary or expedient in order to employ its fire brigade service effectively	Council	None		

### National Road Traffic Act 1996 (Act No 93 of 1996)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
3A(1)(d)	Appointing as many persons as traffic officers or reserve traffic officers as may be reasonably necessary	Council	Municipal Manager		
3A(1)(e)	Appointing persons as traffic wardens or as reserve traffic wardens to exercise or perform within its area such powers and duties of a traffic officer as the MEC for transport may determine	Council	Municipal Manager		
3A(3)	Deciding to appoint any person who is not graded and registered in the prescribed manner on probation as an authorised officer for a period not exceeding 12 months	Council	Municipal Manager		
57(3)(a)	Erecting and siting traffic signs	Council	Manager Community Services		
57(3)(b)	Authorising any person or body to display or cause to be displayed within the Municipality and in the prescribed manner any road traffic sign approved by the Council prior to the display of such sign, subject to such conditions as it may determine	Council	Manager Community Services		

Delegated powers  
Tswelopele Local Municipality

---

57(11)	In writing directing the owner or occupier of any land on which any road traffic sign or other object resembling a road traffic sign is displayed, or on which any object is displayed which obscures or interferes with the effectiveness of any road traffic sign, to remove such sign or object within the period specified in the notice and, if the owner or occupier concerned fails to comply with the notice causing such sign or other object to be removed	Council	Manager Community Services		
80A	Making, with the concurrence of the Premier, bylaws regarding traffic matters	Council	None		

**Regulation of Gatherings Act 1993 (Act No 205 of 1993)**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions</b>	<b>Sub-delegate</b>
2(4)(a)	Appointing a responsible officer and a deputy responsible officer to perform the functions, exercise the powers and discharge the duties of a responsible officer in terms of the Act	Council	Municipal Manager		



### National Building Regulations and Building Standards Act 1977 (Act No 103 of 1977)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
4(1)	Giving written approval for the erection of any building in respect of which plans and specifications are to be drawn and submitted in terms of the Act	Council	Building Control Officer		
5(1)	Appointing a person as building control officer in order to exercise and perform the powers, duties or activities granted or assigned to a building control officer by or under the Act	Council	None		
7(1)	Considering and approving, with or without conditions, or refusing applications for the approval of building plans	Council	Building Control Officer		
7(4)	Considering and granting or denying applications for extending the validity of approved building plans	Council	Building Control Officer		
10	Prohibiting the person erecting a building or earthwork or causing such building or earthwork to be erected from commencing or proceeding with the erection thereof or from so commencing or proceeding except on such conditions as such local authority may determine from time to time if the building or earthwork in question, in the opinion of the Municipality is being or is to be erected in such manner that it will not be in the interest of good health or	Council	Building Control Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	hygiene, will be unsightly or objectionable, will probably or in fact be a nuisance to the occupiers of adjoining or neighbouring properties, will probably or in fact derogate from the value of adjoining or neighbouring properties or is being or is to be erected on a site which is subject to flooding or on a site which or any portion of which in the opinion of the Municipality does not drain properly or is filled up or covered with refuse or material impregnated with matter liable to decomposition				
11(1)	Ordering the owner of a building the erection of which has not been proceeded with for a period exceeding three months to resume and to complete such building within the periods specified in such notice	Council	Building Control Officer		
11(3)	Ordering the owner of a building the erection of which has not been proceeded with for a period exceeding three months, if she/he has failed to resume the building work upon notice of the Municipality and the Municipality is of the opinion that such building is unsightly or dangerous to life or property or derogates from the value of adjoining or neighbouring properties, to demolish the building, to remove the material of which such building consisted and any other	Council	Building Control Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	material or rubbish from the site in question, and to otherwise clean up such site within the period specified in the notice				
12(1)	Ordering the owner of any building that, in the opinion of the Municipality, is dilapidated or in a state of disrepair or shows signs thereof or any building or the land on which a building was or is being or is to be erected or any earthwork is dangerous or is showing signs of becoming dangerous to life or property within the period specified in the notice to demolish such building or to alter or secure it in such manner that it will no longer be dilapidated or in a state of disrepair or show signs thereof or be dangerous or show signs of becoming dangerous to life or property or to alter or secure such land or earthwork in such manner that it will no longer be dangerous or show signs of becoming dangerous to life or property	Council	Building Control Officer		
12(3)(a)	Ordering the owner of any building or the land on which a building was or is being or is to be erected or any earthwork is such that it is dangerous or is showing signs of becoming dangerous to life or property, to instruct at the cost of such owner an architect or a registered person to investigate such condition and to	Council	Building Control Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	report to the Municipality on the nature and extent of the steps to be taken, in the opinion of such architect or registered person, in order to render such building, land or earthwork safe				
12(3)(b)	Ordering that any activities be stopped or prohibit the performance of any activities which may increase the danger or hinder or obstruct the architect or registered person from properly carrying out an investigation on the nature and extent of the steps to be taken in order to render a building, land or earthwork safe	Council	Building Control Officer		
12(3)(c)	Requiring an architect or registered person carrying out an investigation on the nature and extent of the steps to be taken in order to render a building, land or earthwork safe to submit evidence of his/her competence to carry out such duties	Council	Building Control Officer		
12(4)	Ordering the owner of any building that is deemed to be unsafe to remove, within the period specified in such notice, all persons occupying or working or being for any other purpose in such building therefrom, and to take care that any person not authorized by the Municipality does not enter such building or ordering any person occupying or working or being for any other purpose in any building, to	Council	Building Control Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	vacate such building immediately or within a period specified in such notice				
13(1)	Exempting the owner of defined in the national building regulations as a minor building work from the obligation to submit a plan in terms for approval and granting authorisation for the erection of such building in accordance with the conditions and directions specified in such authorization.	Building Control Officer	None		
14(1)	Considering and approving or denying applications for the issuing of certificates of occupancy	Council	Building Control Officer		
14(1A)	Granting permission to use the building before the issue of the certificate of occupancy for such period and on such conditions as may be specified in such permission	Council	Building Control Officer		
15(1)	Authorising persons to enter any building or land at any reasonable time with a view to inspection in connection with the consideration of any building plan or to determine whether the owner of the building or land complies with any provision of the Act or any condition imposed by the Municipality in terms of the Act.	Council	Municipal Manager		
18(1)	Considering and granting or denying in respect of the erection of such building or the land on which it is being or is to be erected, an application to permit a deviation or	Council	Building Control Officer		

Delegated powers  
Tswelopele Local Municipality

---

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	grant an exemption from any applicable national building regulation except a national building regulation regarding the strength and stability of buildings.				

**Sectional Titles Act 1986 (Act No 95 of 1986)**

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
4(5)	Condoning non-compliance with any operative town planning scheme, statutory plan or conditions subject to which a development was approved in terms of any law at the date of approval of the building plans or any applicable condition of any operative town planning scheme, statutory plan or conditions subject to which a development was approved in terms of any law or the building to which the scheme relates, has not been erected in accordance with any applicable building regulations or building by-laws in operation at the date of erection	Council	Manager Community Services		

**National Land Transport Transition Act 2000 (Act No 22 of 2000)**

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
10(1)	Deciding to establish or join a transport authority to improve transport service delivery in the local sphere of government by grouping transport functions into a single, well-managed and focused institutional structure.	Council	None		
17	Appropriating money for the use of the transport authority of which the Municipality is a part	Council	None		
20(2)(a)	Deciding to enter into a cooperation agreement with another planning authority or the provincial government with regard to the preparation of transportation plans	Council	None		



**Free State Provincial Archives Act 1999 (Act No 4 of 1999)**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions</b>	<b>Sub-delegate</b>
13(5)(a)	Designating an official of the Municipality as the Municipality's records manager	Municipal Manager	Manager Corporate Services		

### Environment Conservation Act 1989

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
16(6)	Agreeing with a competent authority to assume responsibility for the control and management of a protected natural environment	Council	None		
19(2)	Ensuring that containers or places are provided which will normally be adequate and suitable for the discarding of litter by the public in places to which the public has access	Council	Manager Community Services		
19A	Removing litter which has been discarded, dumped or left behind at any place to which the public has access (with the inclusion of any pavement adjacent to, or land situated between, such a place and a street, road or site used by the public to get access to such place)	Council	Manager Community Services		
20(1)	Ensuring that the Municipality has a valid permit in respect of every disposal site established, managed or operated by the Municipality	Council	Manager Community Services		
20(6)	Ensuring that no person discards or disposes of waste in any manner except at a disposal site for which a valid permit exists	Council	Manager Community Services		

**Removal of Restrictions Act 1967 (Act No 84 of 1967)**

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
2(4)(a)	Determining the Municipality's comment and recommendation regarding the proposed alteration, suspension or removal of a restriction or obligation which is binding on the owner of the land by virtue of a restrictive condition or servitude registered against the title deed of the land, or a provision of a law relating to the establishment of townships or to town planning or a provision of a by-law or of a regulation or of a town planning scheme or a provision of a town planning scheme and a restrictive condition or servitude registered against the title deed of the land or a provision of a town planning scheme and a provision of a law relating to the establishment of townships or to town planning	Council	None		

### Local Government Ordinance 1962 (Ord No 8 of 1962)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
73(1)(a)	Deciding to establish or contribute to a provident, benevolent or sick fund for employees	Council	None	None	
73B	Providing the legal representation of an employee against whom any claim has or legal proceedings of any nature, whether civil or criminal, have been instituted or who has been summoned to attend, in any capacity, any inquest or other statutory inquiry in connection with any act or omission of such employee in the performance of her/his duties or the exercise of her/his powers, and incur any costs in connection therewith	Council	Municipal Manager	After consultation with the Manager Corporate Services and the Chief Financial Officer	
75	Deciding to acquire by purchase or lease or otherwise immovable property or rights in respect thereof, including the right to take or use water, within or outside the Municipality	Council	None		
76	Deciding to expropriate within or outside the Municipality land or rights in respect thereof, including the right to take or use water, for any purpose	Council	Executive Committee	Subject to the provisions of section 5 of the Expropriation Act, 1975 (Act 63 of 1975)	

77	Deciding to sell, let or in any other manner alienate immovable property vested in the Municipality or rights in respect of such property	Council	1. Decisions to transfer title and ownership in (i.e. to sell) immovable property is reserved for the Council  2. Decisions relating to the short-term leasing of immovable property is delegated to the Municipal Manager	See section 14 of the MFMA	
78(2)(a)	Levying and recovering of interest on rates which have not been paid within thirty days from the date on which such rates became due for the period during which such rates remain unpaid after the expiry of the said period of thirty days	Council	Chief Financial Officer	At an interest rate that is one percent higher than the rate payable by the Council to its bank in respect of an overdraft	
78(2)(b)	Deciding to charge interest on any other amounts due to the Council, which have not been paid within thirty days from the date on which such amounts became due for the period during which such amounts remain unpaid after the expiry of the said period of thirty days	Council	None		
86	Deciding to write off an amount owing to the Municipality by a person if the Council is satisfied that such amount is irrecoverable	Council	In the case of amounts lower than R 500, the Municipal Manager	Subject to a report being submitted to the Executive Committee within 10 working days after the end of each quarter detailing the amounts written off during the past quarter	

Delegated powers  
Tswelopele Local Municipality

90	Investigate any loss of, or damage to, the property of the Municipality which may have arisen due to fraud or theft and report to the SAPS	Council	Municipal Manager		
101(1)	Causing a valuation of rateable property to be made	Council	Council		
102	Appointing a valuer	Council	Municipal Manager		
107(1)	Making the draft valuation roll prepared by the valuer available for inspection and comment and publishing all notices in connection therewith	Council	Manager Corporate Services		
107(2)	Determining an objection fee to be lodged with an objection against an entry into to draft valuation roll	Council	Council		
107(3)	Lodging an objection against an entry in the draft valuation roll on behalf of the Municipality	Municipal Manager	Manager Corporate Services		
108(1)	Selection and appointment of members of the valuation court	Council	Council		
108(2)(a)	Determining the term of office of the members of a valuation court	Council	Council		
108(2)(b)	Appointing an acting member of the valuation court	Council	Council		
108(3)	Calling meetings of the valuation court	Municipal Manager	Manager Corporate Services		
108(6)	Refunding of objection fees	Council	Chief Financial Officer		
108(8)	Determining the remuneration payable to members of the valuation court	Council	Council		
109	Making the revised and certified valuation roll available for public inspection	Municipal Manager	Manager Corporate Services		
111	Determining the date of a valuation roll coming into operation	Council	Council		

Delegated powers  
Tswelopele Local Municipality

112(1)	Deciding to have an interim valuation of a property made	Council	Manager: Corporate Services		
112(2)	Giving the owner of a property in respect of which an interim valuation has been made notice of a new valuation	Council	Manager Corporate Services		
112(3)	Determining an objection fee for objections against interim valuations	Council	Council		
112(4)	Referring an objection against an interim valuation to the valuation court	Council	Manager Corporate Services		
114(3)	Determining the basis for levying an assessment rate	Council	Council		
114(4)	Determining the minimum amount of an assessment rate payable to the Municipality	Council	Council		
114(5)	Determining the basis for differentiating in assessment rates according to the zoning of property	Council	Council		
114(5)(c)	Determining a rebate in respect of rateable property	Council	Council		
114A(1)	Deciding to make a grant-in-aid in respect of assessment rates	Council	Council		
116	Determining the dates on which rates shall become due and payable	Council	Council		
117(1)	Deciding to sue for rates owing to the Municipality	Council	Chief Financial Officer		
117(2)	Giving written notice to the owner of rateable property that rates are due and payable	Municipal Manager	Chief Financial Officer		

117(2)	After giving written notice to the owner of rateable property that rates are due and payable, order the occupier of rateable property by notice in writing to pay the rent which is, or may become, due and payable by such occupier in respect of such property, to the Council in settlement of such rates	Municipal Manager	Chief Financial Officer		
117(3)(a)	Giving notice regarding rates in arrears in respect of abandoned rateable property	Council	Chief Financial Officer		
117(3)(b)	Attaching and selling rateable property	Council	Chief Financial Officer		
117(3)(c)	Giving transfer of any rateable property sold	Council	Chief Financial Officer		
129(2)(a)	Deciding to make grants-in-aid	Council	Council		
129(2)(b) (ii)	Incurring expenditure for the reception and entertainment of any person in a public or private manner	Council	Council Mayor Speaker Municipal Manager Departmental Heads		
129(2)(b) (iii)	Incurring expenditure for the burial of deceased inhabitants of the Municipality whose relatives, though not being paupers, are not financially able to meet such expenditure	Council	Executive Committee		
129(2)(b) (iv)	Incurring expenditure for the purchase of wreaths for the funerals of employees or ex-employees of the council or of persons in respect of whom the council considers it desirable or fitting that such token of respect should be paid	Council	Council Mayor Speaker Municipal Manager Departmental Heads		



129(2)(b) (ix)	Incurring expenditure to present a commemorative token to a councillor, or to an employee of the council who has rendered service to the council for at least twenty years	Council	Council	Provided the majority of the members of the council has approved of such expenditure	
141	Deciding to close or divert any street, road or other public place, or any portion thereof temporarily or permanently	Council	Executive Committee Departmental Heads	<ol style="list-style-type: none"> <li>1. The Executive Committee may close or divert a street, road or other public place, or any portion thereof permanently</li> <li>2. A departmental head may close or divert a street, road or other public place, or any portion thereof temporarily for the purpose of performing work</li> </ol>	
142(3)	Assigning and changing the name of any street, road or public place under the Municipality's control	Council	Council		
148A(2)	Deciding to adopt standard regulations made by the MEC responsible for local government	Council	Council		
151(2)	Furnishing a copy of the Municipality's approved bylaws	Municipal Manager	Manager Corporate Services		
151(2)	Determining the amount payable in respect of a copy of approved bylaws	Council	Council		
169	Receiving any legal process documentation to be served on the Municipality	Municipal Manager	None		

Delegated powers  
Tswelopele Local Municipality

---

171	Authorising employees to enter any place or premises within the Municipality to carry out there any inspection or test which may be necessary for ascertaining whether the provisions of the Ordinance have been complied with and may for this purpose open up any work or thing or any inspection, examination or work which may be necessary for the purposes of exercising any power conferred upon the council by the Ordinance	Council	Municipal Manager Departmental heads		
179	Convening a public meeting of voters	Mayor	Mayor		

### Townships Ordinance 1969 (Ordinance 9 of 1969)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
8(1)	Deciding to apply for the establishment of a township on land owned by the Municipality	Council	None		
11(1)	Submitting to the Surveyor-General of a general plan of an approved township and such diagrams as may be required	Council	Manager Community Services		
13(1)	Lodging the general plan and tiled deeds relating to a township the general plan of which has been approved, to the Registrar of Deeds	Council	Manager Community Services		
17(3)(b)	Determining the utilisation of any endowment money paid in respect of the establishment of a township	Council	None		
18(2)(c)	Considering objections against an application to amend or cancel a general plan	Council	Executive Committee		
20(3)(a)	Considering and commenting on an application for the consolidation or sub-division of land	Council	Manager Community Services		
21	Directing the owner of land on which a building has been erected in a township established in contravention of the provisions of the Ordinance or in contravention of the provisions of section 8(5)(b) of the Ordinance or of a condition subject to which the Administrator has approved of the establishment of a township	Council	Manager Community Services		

Delegated powers  
Tswelopele Local Municipality

23(2)	Considering a draft proclamation to be issued by the Administrator directing the Municipality to establish a town planning scheme	Council	None		
24(1)	Considering the establishment of a town planning committee, the appointment of its members and the delegation of powers and functions to such committee	Council	None		
25(4)(a)	Deciding whether a town planning scheme must provide for an appeal to the townships board against a decision given by the Municipality under such scheme when there has been an unreasonable delay on the part of the Municipality to give such a decision	Council	None		
26(1)	Obtaining the consent of the Administrator for the erection or alteration of or addition to a building, or the carrying out of any work whatsoever or any land or building being put or converted to any use prior to a town planning scheme being approved	Council	Manager Community Services		

Delegated powers  
Tswelopele Local Municipality

---

26(2)	Prohibiting the erection or alteration of or addition to any building being undertaken or proceeded with, any other work of any nature or description is carried out, undertaken or proceeded with or any particular use is made of any land or building, whenever it appears to the Municipality that the proposed provisions of a scheme in the course of preparation or awaiting approval by the Administrator are likely to be contravened	Council	Manager Community Services		
27(1)	Submitting a proposed town planning scheme for approval	Council	Manager Community Services		
28(1)	Considering a requirement of the townships board that a town planning scheme be amended prior to its approval	Council	None		
30(1)	Submitting proposed amendments to an approved town planning scheme to the townships board	Council	None		

31	Directing a person who undertakes or continues with the erection or alteration of or addition to a building or causes such erection, alteration or addition to be undertaken or continued with, carries out, undertakes or continues with any other work or causes such other work to be performed, undertaken or continued with or uses or causes to be used any land or building contrary to a provision of an approved town planning scheme to discontinue or cause to be discontinued such erection, alteration, addition or other work or use of any land or building and at his/her own expense to remove or cause to be removed such building or other work or to cause such building or other work or use of any land or building to conform to the provisions of such scheme, within the period specified in such direction	Council	Manager Community Services		
----	--	---------	----------------------------	--	--

## Local Government: Municipal Planning and Performance Management Regulations, 2001

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
3(3)	Ensuring compliance with the Municipality's rules and orders regarding an amendment to the integrated development plan	Council	Speaker	None	
3(4)(b)	Publishing a proposed amendment to the Municipality's integrated development plan	Council	Municipal Manager	None	
4(2)(b)	Making and submitting written representations regarding an objection to the proposed amendments to the Municipality's integrated development plan suggested by the MEC	Council	Executive Committee	None	
6(b)	Preparing action plans for the implementation of strategies identified by Municipality	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
8	Adopting a performance management system	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
9(1)	Setting key performance indicators, including input indicators, output indicators and outcome indicators, in respect of each of the development priorities and objectives contained in the integrated development plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
9(2)	Determining the manner and frequency of the involvement of the community in setting key performance indicators	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
11	Annually reviewing of the Municipality's key performance indicators	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
12	Determining performance targets in respect of each key performance indicator	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
13(1)	Involving the community in developing and implementing mechanisms, systems and processes for the monitoring, measurement and review of performance	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
13(1)	Approving and implementing mechanisms, systems and processes for the monitoring, measurement and review of performance	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
14(1)(a)	Developing and implementing mechanisms, systems and processes for auditing the results of performance measurements as part of the Municipality's internal auditing processes	Council	Municipal Manager	After consultation with the Chief Financial Officer	
14(1)(c)	Auditing the performance measurements of the municipality and submitting quarterly reports to the Municipal Manager and the performance audit committee (PAC)	Internal audit	None	None	
14(2)	Establishing a PAC	Council	None	Subject to receiving and considering a report from the Speaker	
14(2)	Appointing the members of a PAC	Council	None	Subject to receiving and considering a report from the Speaker	
14(2)(c)	Deciding whether to have a separate PAC or a consolidated audit committee	Council	None	Subject to receiving and considering a report from the Speaker	
14(2)(d)	Designating a member of the PAC as chairperson	Council	None	None	



Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
14(2)(f)	Filling of any casual vacancy in the PAC	Council	None	None	
14(2)(g)	Provision of secretariat services to the PAC	Council	Municipal Manager	None	
14(2)(i)	Determination of the remuneration of members of the PAC who are not Councillors or employees of the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
14(3)(a)	Calling of ordinary meetings of the PAC	Chairperson of the PAC	None	None	
14(3)(a)	Determining the time, date and place of meetings of the PAC	Chairperson of the PAC	None	None	
14(3)(b)	Calling a special meeting of the PAC	Chairperson of the PAC	None	None	
14(3)(c)	Determining the procedures of the PAC	Performance audit committee	None	Subject to receiving and considering a report from the Municipal Manager	
15(1)(a)	Deciding to establish an IDP Forum	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
15(1)(b)	Determining appropriate mechanisms, to invite the community to identify persons to serve on the IDP forum	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee	
15(1)(b)	Inviting the community to identify persons to serve on the IDP forum, including representatives from ward committees, if any	Council	Municipal Manager	None	
15(2)	Convening of meetings of the IDP Forum	Council	Municipal Manager	None	

### General Machinery Regulations

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
2(1)	Designating a person in a full-time capacity in respect of every premises on or in which machinery is being used	Council	Municipal Manager	None	
7	Notifying the inspector of any incident involving machinery	Council	Manager Corporate Services	Council	

### South African Local Government Bargaining Council: Organisational rights agreement (Dated 26 April 2005)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
6	Granting permission to trade union office-bearers and officials to access the workplace to conduct union business during working hours	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
7.1	Deducting union subscription fees and fees for union-initiated schemes in respect of employees that supplied it with written authorization	Council	Chief Financial Officer	None	
7.5	Remission of amounts collected in terms of par 7.1 of the ORA	Council	Chief Financial Officer		
7.7	Deciding to apply to the Free State Division of the SALGBC to exempt the Municipality from submitting the information in respect of deductions in terms of par 7.1 of the ORA to the relevant trade union in hard copy format	Council	Municipal Manager	If the Municipality is unable to provide the information in electronic format	
8.4.3	Convening a meeting with a trade union who notified the Municipality of its wish to define constituencies	Council	Municipal Manager	After consultation with the Manager Corporate Services	
8.4.3	Entering into an agreement with a trade union with regard to the number of constituencies and shop stewards	Council	Municipal Manager	After consultation with the Manager Corporate Services	
8.5.2	Granting access to a trade union to each constituency to explain the role of shop stewards, receive nominations and conduct elections	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	
8.7.2	Granting permission to hold shop stewards committee meetings	Council	Municipal Manager		
8.7.4	Determining the possibility of supplying an office with suitable	Council	Municipal Manager	[See also, par 9.8 of the ORA]	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
	facilities to shop stewards				
8.8.1	Granting applications of shop stewards for leave of absence for trade union activities and training	Council	Departmental head concerned	After ascertaining whether the applicant has leave available	
8.8.3	Considering requests for further time off from shop stewards over and above agreed leave for union activities and training	Council	Departmental head concerned	Within a policy framework established by the Council	
9.5.3	Notifying the relevant trade union on any non-compliance by a full-time shop steward with the terms of the ORA	Council	Manager Corporate Services		
9.5.4	Deciding not to recognise a full-time shop steward for failure by the relevant trade union to take disciplinary action	Council	Municipal Manager		
9.5.5	Notifying a trade union that its membership has declined to less than 1000 members	Council	Manager Corporate Services		
	Suspending the right of a trade union to a full-time shop steward	Council	Municipal Manager		
9.8.1	Making an office available to a full-time shop steward	Council	Manager Corporate Services		
9.8.2	Agreeing with the relevant trade union on a budget for the operation of an office for a full-time shop steward	Council	Manager Corporate Services		
9.9.1	Designating a person to whom a full-time shop steward must report for administrative purposes	Council	Municipal Manager		
12.1.1	Establishing a local labour forum	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
12.1.3	Designating/appointing the Municipality's representatives in the local labour forum	Council	None		
12.1.4	Notifying the trade unions that SALGA officials will attend a local labour forum meeting	Council	Manager Corporate Services		
12.3.3	Designating one of the employer representatives in the local labour forum as delegation leader	Council	None		
12.3.4	Agreeing with trade unions on a date for meetings of the local labour forum	Council	Manager Corporate Services	Council	
12.3.5	Compiling the agenda for a meeting of the local labour forum	Council	Manager Corporate Services	Jointly with the other parties in the forum	
12.3.6	Calling a special meeting of the local labour forum for reasons of urgency	Council	Municipal Manager	After consultation with the delegation leader designated in terms of par 12.3.3 of the ORA	
12.6	Informing the Free State Division of the SALGBC on quarterly basis of the number and nature of sub-committees of the local labour forum	Council	Manager Corporate Services		
14.1	Deciding to refer a dispute about the interpretation of the ORA to the Central Council	Council	Municipal Manager		
15.1	Deciding to apply for exemption from the ORA	Council	None		
15.4	Deciding to appeal a decision of the Executive Committee of the Central Council with regard to an application for exemption	Council	None		

## South African Local Government Bargaining Council: Collective Agreement on Conditions of Service for South African Municipalities

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
5.1	Deciding whether a condition of service predating the Agreement is more favourable than a condition in terms of the agreement		Manager Corporate Services		
6.1	Determination of actual commencement and knock off time		Municipal Manager	After consultation with the manager s directly accountable to the Municipal Manager	
7.2	Instructing an employee whose leave is due, to take such leave		Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor	After consultation with the Manager Corporate Services	
7.3.1	Determining the cash value of leave accrued on 31 December 2004		Chief Financial Officer		
7.5	Instructing an employee to take leave		Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor	After consultation with the Manager Corporate Services	

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
7.6	Determining the cash value of leave to the credit of an employee at termination of her/his service		Chief Financial Officer		
8.3	Deciding whether or not to pay an employee who is absent on more than two occasions during an eight-week period, and on request by the employer, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury		Municipal Manager	After consultation with the departmental head concerned	
10.2	Consideration of applications for family responsibility leave		Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
11.1	Granting applications for participation in the Municipality's home owners' allowance scheme		Chief Financial Officer	After consultation with the Manager Corporate Services and subject to the qualifying conditions being met	
12.1	Determination of the amount of severance pay due to an employee dismissed for the Municipality's operational requirements		Chief Financial Officer		

### South African Local Government Bargaining Council: Disciplinary code collective agreement

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
5.4	Determining the sanction to be applied when an employee has been found guilty of misconduct	Disciplinary tribunal	None	Having regard to the seriousness of the offence and provided that the sanction is consistent with the provisions of the collective agreement	
5.5	Publication of the Agreement and issuing thereof to all employees		Manager Corporate Services		
6.1	Receiving a written accusation of misconduct	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
6.1	Authorising an investigation into the accusation to be conducted	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
6.1	Deciding to institute disciplinary proceedings after conducting an investigation	Municipal Manager	Departmental head concerned In the case of a		



Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
			departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
6.2	Deciding whether the alleged misconduct will result in a verbal or final written warning	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
6.2	Referring the matter to – <ul style="list-style-type: none"> <li>departmental enquiry; or</li> <li>disciplinary tribunal</li> </ul>	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
6.4.1	Deciding whether it is possible or desirable to appoint a senior employee of the Municipality as presiding officer	Municipal Manager	Departmental head concerned In the case of a departmental		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
			head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
6.4.1	Appointing a suitably qualified person as presiding officer	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
6.4.2	Deciding whether it is possible or desirable to appoint an employee of the Municipality as prosecutor	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
6.4.2	Appointing a suitably qualified person as prosecutor	Municipal Manager	Departmental head concerned In the case of a departmental head, the		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
			Municipal Manager In the case of the Municipal Manager, the Mayor		
7.6	Receiving from the presiding officer at an enquiry the findings of fact, sanction imposed and the reasons in support thereof	Municipal Manager	Manager Corporate Services		
7.7	Deciding whether the summary procedure should apply to the proceedings	Municipal Manager	Manager Corporate Services		
10.2	Keeping custody of the recording of a disciplinary tribunal	Municipal Manager	Manager Corporate Services		
13.1	Deciding whether it would be detrimental to the interests of the employer if an employee who has been accused of misconduct remains in active service	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
13.1	Deciding whether to suspend and employee accused of misconduct or utilise her/him temporarily in another capacity	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
			In the case of the Municipal Manager, the Mayor		
13.2	Giving notice to an employee of the intention to suspend her/him	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
13.2	Considering any representations made by an employee regarding her/his intended suspension	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor		
13.3	Determining the period of suspension of an employee	Municipal Manager	Departmental head concerned In the case of a departmental head, the Municipal Manager In the case of the		

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
			Municipal Manager, the Mayor		
14.2	Receipt of an appeal against any disciplinary sanction	Municipal Manager	Manager Corporate Services		
14.3	Determining the appropriate level at which an appeal must be considered	Municipal Manager	Manager Corporate Services		
14.4	Deciding whether an appeal should be heard by an independent arbitrator	Municipal Manager	Manager Corporate Services		
14.4	Appointing an independent arbitrator from a panel/list	Municipal Manager	Manager Corporate Services		
14.6	Confirm or set aside any decision, determination or finding and to confirm, set aside or reduce any sanction imposed	Presiding officer of an appeal tribunal	None		
15	Deciding whether to conduct an arbitration into allegations about the conduct or capacity of an employee as provided for under section 188 A of the Labour Relations Act	Municipal Manager	Manager Corporate Services		
15	Seeking the relevant employee's consent to conduct an arbitration into allegations about the conduct or capacity of an employee as provided for under section 188 A of the Labour Relations Act	Municipal Manager	Manager Corporate Services		

### South African Local Government Bargaining Council: Agency Shop Collective Agreement

Clause	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation
5.2.1	Deduction of agency shop fees from each who is entitled to join one of the trade unions, but who is not a member of the trade unions	Council	Chief Financial Officer		

### South African Local Government Bargaining Council: Bargaining Council Levies Collective Agreement

Clause	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation
5.1	Deduction of the agreed amount payable by union members from the salary of every employee who is a member of SAMWU or IMATU each month	Council	Chief Financial Officer		
6.2	Granting permission to the staff of the SALGBC to enter the municipality's premises and to institute such enquiries and to examine such documents, books, wage sheets, pay envelopes and pay tickets and to question such individuals as may be necessary for the purpose of ascertaining whether the provisions of the Agreement are being complied with.	Council	Municipal Manager		

### South African Local Government Bargaining Council: Framework Agreement on Essential Services

Clause	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation
3.2	Deciding whether to take on replacement labour during a strike of the municipality's employees in respect of those services not classified as essential services	Council	Municipal Manager	After consultation with the managers directly to the Municipal Manager	



### South African Local Government Bargaining Council: Exemptions agreement

Clause	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation
1.5	Deciding whether to apply for redemption from any wage collective agreement	Council	Executive Committee	After receiving and considering a report of the Municipal Manager	

### Incidental powers (Powers not explicitly conferred by statute)

Par	Power	Delegating authority	Delegated body	Conditions
1	Commencing with any legal process, whether civil or criminal, on behalf of the Municipality	Council	Municipal Manager	After consultation with the Manager Corporate Services
2	Defending or opposing any legal process, whether civil or criminal, against the Municipality	Council	Municipal Manager	After consultation with the Manager Corporate Services
3	Submitting or opposing an appeal to a higher court or other judicial tribunal in respect of a judgment handed down by a lower court or tribunal	Council	Municipal Manager	After consultation with the Manager Corporate Services
4	Obtaining the services of an attorney or advocate for official purposes, including obtaining legal opinion	Council	Municipal Manager	After consultation with the Manager Corporate Services
5	Incurring expenses relating to obtaining the services of investigators to obtain evidence in cases of alleged irregular conduct or misconduct	Council	Municipal Manager	After consulting the Chief Financial Officer and the Manager Corporate Services
6	Applying penalty clauses of contracts in the event of late delivery of goods and services to the municipality	Council	Departmental head concerned	After consulting the Municipal Manager and the Chief Financial Officer
7	Deciding the payment of an award not exceeding an amount determined from time to time by the Council to a person, other than an employee, who willingly reported an incident that resulted in the conviction of an accused person by a court for an offence relating to damage to or theft of municipal property	Council	Municipal Manager	After consultation with the Chief Financial Officer
8	Granting bursaries to employees of the Municipality	Council	Municipal Manager	After consultation with the Chief Financial Officer and the Manager Corporate Services
9	Deciding on the replacement at the Municipality's expense of an employee's tools which were damaged or broken whilst in the use of the Municipality in cases where an employee is expected to provide her/his own tools	Council	Departmental head concerned	1. Replacement tools must be of similar quality and identical nature than the tools which are replaced 2. After consultation with the Chief Financial Officer
10	Allocating official tele- and mobile phones to employees	Council		After consultation with the

Par	Power	Delegating authority	Delegated body	Conditions
			Municipal Manager	managers directly accountable to the Municipal Manager
11	Deciding on the use of the coat of arms of the Municipality for commemorative and other purposes	Council	Municipal Manager	
12	Granting permission to persons to examine the records of the Municipality for research purposes	Council	Manager Corporate Services	With the authority to impose conditions on such examination
13	Considering and granting or refusing any application by third parties to use the facilities of the Municipality	Council	Manager Corporate Services	Subject to the applicable bylaws
14	Turning down applications for donations that are obviously contrary to the Municipality's policy governing grants and donations	Council	Chief Financial Officer	
15	Granting special leave to employees who are sportsmen and – women, referees or umpires, to participate in national and provincial sports activities	Council	Departmental head concerned	
16	Granting <i>ex gratia</i> payments to employees who were selected to a national sports team for participating in international sporting events	Council	Municipal Manager	After consultation with the Chief Financial Officer
17	Granting of permission for the free use of municipal facilities for departmental purposes	Council	Manager Corporate Services	
18	Creating temporary positions on the staff establishment to cope with a temporary increase in work	Municipal Manager	None	After consultation with the Manager Corporate Services and the Chief Financial Officer
19	Construction, demolition or extension of permanent municipal buildings	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee

Delegated powers  
Tswelopele Local Municipality

Par	Power	Delegating authority	Delegated body	Conditions
20	Considering the sub-division, consolidation or changing the legitimate use of land owned by the Municipality	Council	Council	Subject to receiving and considering a report from the Executive Committee
21	Considering the acquisition of land and other fixed property for the Municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Committee
22	Considering reports of the audit committee and performance audit committee	Council	None	
23	Nominating, electing and appointing representatives of the Municipality in public bodies	Council	None	
24	Considering departmental reports	Council	Council	Subject to receiving and considering a report and recommendations from the Executive Committee
25	Deciding whether or not a report submitted to the Council is for the Council's information or consideration	Council	Council	
26	Authorising or demanding from employees to work overtime	Council	Departmental head concerned	Subject to there being an agreement between the Municipality and the relevant employee that she/he will work overtime and the necessary funds being available
27	Disposing of documents and other records in terms of relevant legislation regulating archives	Council	Departmental head concerned	In consultation with the Manager Corporate Services
28	Enforcing national, provincial and local legislation, including the institution of criminal proceedings for the alleged contravention thereof	Council	Departmental head concerned	
29	Instituting criminal or civil proceeding against any former employee who neglected or failed to return any property of the Municipality which she/he may have had in her/his possession at the time of terminating her/his employment	Council	Manager Corporate Services	
30	Claiming from and making payments to professional firms and companies	Council	Chief Financial Officer	

Par	Power	Delegating authority	Delegated body	Conditions
31	Deducting any monies owed by an employee to the Municipality from her/his pay	Council	Chief Financial Officer	
32	Instituting legal proceedings against any third party for damages to property of the Municipality caused by such third party and for injuries sustained by an employee of the Municipality whilst on duty as a result of the action or inaction of a third party	Council	Manager Corporate Services	After consultation with the Municipal Manager and the Chief Financial Officer
33	Considering of requests for making available address lists of consumers and levy payers	Council	Municipal Manager	
34	Submitting and finalising insurance claims	Council	Chief Financial Officer	
35	Enforcing penalty clauses for late delivery of goods and services or the completion of work	Council	Municipal Manager	After consultation with the Chief Financial Officer
36	Maintaining the Municipality's financial records relating to the leasing of assets by or to the Municipality	Council	Chief Financial Officer	
37	Granting permission for reimbursement of the relocation cost incurred by a newly appointed employee	Council	Manager Corporate Services	
38	Discharging any temporary employee or employee appointed for a fixed term at the expiration of her/his term of employment or when her/his services are no longer required	Council	Departmental head concerned	After consultation with the Manager Corporate Services
39	Extending the validity of non-accumulative leave of an employee	Council	Manager Corporate Services	After consultation with the departmental head concerned
40	Reviewing the schedule of uniforms and protective clothing	Council	Manager Corporate Services	After consultation with the Municipal Manager and the departmental heads concerned, including the Chief Financial Officer
41	Determining which positions are locomotion allowance carrying positions	Council	Municipal Manager	After consultation with the Manager Corporate Services and the Chief Financial Officer
42	Leasing of municipal facilities, including halls, to third parties	Council	Manager Community	

Par	Power	Delegating authority	Delegated body	Conditions
			Services	
43	Deciding not to lease any facilities of the municipality to a third party if the risk involved is deemed to be too high	Council	Manager Corporate Services	
44	Deciding to reduce the rent payable in respect of the leasing of the Municipality's facilities in meritorious cases	Council	Manager Corporate Services	
45	Appointing site staff to supervise the excavation, demolition and construction of building and other infrastructure performed on behalf of the Municipality by independent contractors	Council	Manager Technical Services	After consultation with the Manager Corporate Services and the Chief Financial Officer
46	Granting permission to third parties to perform work on municipal property	Council	Manager Technical Services	Provided that such work will not prejudice the Municipality's interests and that the Municipality is indemnified in writing against any claims and damages which may result from such work
47	Providing temporary or <u>ad hoc</u> technical, administrative and management assistance, including training, to another Municipality	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager
48	Granting power of attorney to any supplier of vehicles and other equipment that must be licensed to register such vehicle or equipment in the name of the Municipality	Council	Municipal Manager and the relevant departmental head	
49	Considering and approving or rejecting any building plan	Council	Manager Community Services	
50	Considering and granting or refusing any application regarding building lines and building over servitudes registered in favour of the Municipality	Council	Manager Corporate Services	After consultation with other departmental heads
51	Considering and granting or refusing applications for the erection of temporary and permanent advertisements	Council	Manager Community Services	After consultation with the Manager Technical Services

Par	Power	Delegating authority	Delegated body	Conditions
52	Considering applications for the waiving of the Municipality's rights under any servitude registered in favour of any property	Council	Manager Technical Services	After consultation with the managers directly accountable to the Municipal Manager
53	Authorising the removal, pruning and planting of trees and other plants on property of the Municipality	Council	Manager Technical Services	
54	Signing, authenticating and/or executing together with the Mayor, any document conferring freedom of the Municipality or honorary residence to a person, pursuant to a Council resolution	Council	Municipal Manager	
55	Signing, authenticating and/or executing documents relating to the transfer or acquisition of immovable property	Council	Municipal Manager	
56	Signing, authenticating and/or executing documents to commence with any legal process, whether criminal or civil, on behalf of the Municipality and to defend or oppose any legal process against the Municipality	Council	Municipal Manager	
57	Signing, authenticating and/or executing documents necessary to submit, oppose or defend any appeal to a higher court or other body in respect of judgement handed down by a lower court or body	Council	Municipal Manager	
58	Signing, authenticating and/or executing any other document the signing, authentication or execution of which had not been delegated to another person	Council	Municipal Manager	
59	Signing, authenticating and/or executing contracts relating to the construction of buildings and civil works	Council	Municipal Manager	
60	Signing, authenticating and/or executing a declaration by a seller for the payment of transfer duties in connection with all property transactions, including declarations concerning buildings constructed with funds obtained from the state, including the national or provincial housing fund	Council	Municipal Manager	
61	Signing, authenticating and/or executing contracts for the acquisition and alienation of immovable property and rights in	Council	Municipal Manager	

Par	Power	Delegating authority	Delegated body	Conditions
	respect thereof			
62	Signing, authenticating and/or executing contracts for the leasing of property by or to the Municipality	Council	Municipal Manager	
63	Signing, authenticating and/or executing any and all documentation regarding the registration of immovable property in the Municipality's name, irrespective of the manner in which such property was acquired	Council	Municipal Manager	
64	Signing, authenticating and/or executing contracts which may be necessary for the alienation of any rights of the Municipality in immovable property owned by the Municipality	Council	Municipal Manager	
65	Signing, authenticating and/or executing any and all documentation relating to the expropriation of immovable property by the Municipality	Council	Municipal Manager	
66	Signing, authenticating and/or executing any and all documents relating to the registration in favour of the Council or another party of servitudes and notarial deeds	Council	Municipal Manager	
67	Signing, authenticating and/or executing contracts for the handling and disposal of waste	Council	Municipal Manager	
68	Signing, authenticating and/or executing any and all documents relating to obtaining statutory required permits and licences, including the establishment, extension and closing of landfill sites and cemeteries and the treatment and disposal of wastewater and industrial effluent	Council	Municipal Manager	
69	Signing, authenticating and/or executing contracts relating to the provision of water and electricity to the Municipality whether in bulk or retail quantities	Council	Municipal Manager	
70	Signing, authenticating and/or executing contracts relating to the removal of night soil	Council	Municipal Manager	
71	Signing, authenticating and/or executing any and all documents relating to the registration, deregistration or changes to sectional title schemes	Council	Manager Community Services	
72	Granting time-off to employees for overtime worked in relation to the attendance of meetings	Council	Municipal Manager, in the case of	



Par	Power	Delegating authority	Delegated body	Conditions
			Departmental Heads  Departmental Heads in respect of other personnel	
73	Transferring officials from one department to another, excluding officials on reporting levels 2 and 3	Council	Municipal Manager	Subject to – (a) the consent of the official concerned; and (b) there being a vacant position in the receiving department
74	Finalising the fitting of antennas to existing masts and structures	Council	Manager Technical Services	In consultation with the departmental heads concerned
75	Granting to staff allocated to the Department, sick leave	Council	Departmental Heads	
76	Granting to staff allocated to the Department special leave	Council	Departmental Heads	
77	Granting to staff allocated to the Department, family responsibility leave	Council	Departmental Heads	
78	Granting to staff allocated to the Department annual leave	Council	Departmental Heads	
79	Granting to staff allocated to the Department maternity leave	Council	Departmental Heads	
80	Granting to staff allocated to the Department unpaid leave	Council	Departmental Heads	
81	Accepting a shorter period of notice than is required by the conditions of service	Council	Departmental Heads	
82	Authorising the payment of overtime	Council	Departmental Heads	
83	Approving official journeys to be undertaken with a municipal vehicles allocated to the Department	Council	Departmental Heads	

Par	Power	Delegating authority	Delegated body	Conditions
84	Checking and controlling vehicle log books	Council	Departmental Heads	
85	Authorising fuel vouchers to be used at the Municipality's fuel depot	Council	Departmental Heads	
86	Maintaining and updating inventories as prescribed by the Chief Financial Officer	Council	Departmental Heads	
87	Suspending permits for importing of any milk or dairy products, which appear to be diluted or unhealthy in any way	Council	Manager Community Services	<ol style="list-style-type: none"> <li>1. Provided that a report be submitted to the Council for consideration.</li> <li>2. A suspension shall be valid until such time as the Council considers a report in this connection</li> </ol>
88	Administering, enforcing and implementing the following bylaws – <ol style="list-style-type: none"> <li>(a) health</li> <li>(b) swimming pools, boating, bungalow camp, cemeteries, parks, river banks, open spaces, and recreation grounds</li> <li>(c) abattoir</li> <li>(d) controlling and regulating the storage of flammable liquids</li> <li>(e) fire</li> <li>(f) licensed premises</li> <li>(g) importation, transportation and storage of meat in the municipal area</li> <li>(h) milk and dairy</li> <li>(i) cyanide disinfection</li> <li>(j) smoke control</li> <li>(k) traffic</li> <li>(l) public transport</li> <li>(m) petrol pump</li> <li>(n) noise control regulations</li> </ol>	Council	Manager Community Services	<ol style="list-style-type: none"> <li>1. Insofar as the application of the bylaws does not fall within the scope of "municipal health services" as defined in section 1 of the National Health Act 2003.</li> <li>2. With regard to par (o): In consultation with the departmental heads concerned, insofar as it relates to the specific functions and activities of the department</li> </ol>

Par	Power	Delegating authority	Delegated body	Conditions
89	Authorising the removal of trees on Municipal property		Manager Community Services	
90	Arranging coaching times at municipal swimming pools		Manager Community Services	
91	Considering and finalising applications for temporary advertisements and posters, the placing of banners and posters in respect of functions and other events, as well as other ways of advertisement, such as using balloons		Manager Community Services	In consultation with the Manager Corporate Services
92	Maintaining public toilet facilities		Manager Technical Services	
93	Acting on a complaint received from a member of the public or a police officer about an alleged irregularity in respect of fund raising, to request any person who is raising funds to produce the concession or special concession in terms of which the raising of funds is taking place		Manager Community Services	
94	Deciding whether the fire brigade may be used for fire fighting and/or rescue purposes outside the municipal area		Manager Community Services	
95	Authorising, amending or revoking an assessment rendered for fire fighting services		Manager Community Services	1. In consultation with the Chief Financial Officer; and 2. In accordance with the provisions of the Fire Brigade Services Act, 1987 (Act No 99 of 1987)
96	Deciding on the placement of exclusive parking bays for any lawful purpose		Manager Community Services	
97	Removing metered parking bays in urgent cases		Manager Community Services	
98	Granting permission for parades, athletic and other events to		Manager	

Par	Power	Delegating authority	Delegated body	Conditions
	be conducted in streets, as well as for the temporary closing of streets for such purpose		Community Services	
99	Administering, enforcing and implementing the powers that vest in the Council in respect of the use or discharge of fireworks, firearms or similar devices as contained in the provisions of the Explosives Act, 1956 (Act No 26 of 1956), and the provisions of the noise control regulations		Manager Community Services	
100	Approving the participation of the fire brigade and the traffic division in public demonstrations, public displays, welfare functions and other private functions		Manager Community Services	
101	Granting permission for the use of loudspeakers and loud hailer in the streets to advertise functions and events		Manager Community Services	
102	Granting/refusal of unpaid leave		Municipal Manager	In consultation with the Chief Financial Officer
103	Implementing routine prosecutions for contravention of by-laws, ordinances, regulations and acts		Municipal Manager	
104	Administering, enforcing and legislation regarding the control of hawkers and street vendors		Manager Community Services	
105	Considering applications for funerals, re-interment or exhumation of human remains and the erection or removal of memorials and tombstones in cemeteries		Manager Community Services	
106	Removing or pruning of problematic trees on municipal property, which cause a nuisance, is dangerous or may cause damage		Manager Technical Services	
107	Approving or rejecting applications for exhibitions, sale and demonstrations of books and educational apparatus at public libraries managed and operated by the Municipality		Manager Community Services	Provided that no exhibition, sale or demonstration may be conducted on a continuous and permanent basis.
108	Managing and operating public libraries		Manager Corporate Services	Subject to the provisions of a service-delivery, agency or other like contract between the Municipality and the Provincial

Par	Power	Delegating authority	Delegated body	Conditions
				Government
109	Exercising control over the installation and maintenance of parking meters as well as the collection of parking meter fees		Manager Community Services	
110	Exercising control over health and related nuisances.		Manager Community Services	
111	Establishing, managing and operating sanitary services and public conveniences on Municipal property		Manager Technical Services	
112	Managing, operating and maintaining municipal parking areas.		Manager Community and Emergency Services	
113	Considering and approving or rejecting applications of students to undergo experiential training		Manager Corporate Services	
114	Considering and approving or rejecting applications for cycle tours, rallies, marathons, street races, fun-runs/walks		Manager Community and Emergency Services	In consultation with the Manager Corporate Services.
115	Administering, enforcing and implementing the Foodstuff, Cosmetics and Disinfection Act 1991, (No 54 of 1991) and Regulations		Manager Community and Emergency Services	
116	Establishing and maintaining a register of securities including contracts and title deeds		Manager Corporate Services	
117	Consider and approving or rejecting applications for the erection of permanent advertisements		Manager Community Services	
118	Making rulings in respect of the Council's pre-emptive sales right in accordance with relevant housing legislation		Manager Corporate Services	

Par	Power	Delegating authority	Delegated body	Conditions
119	Considering and approving or rejecting requests for the purchase or leasing of municipal residential units built with State funds		Manager Corporate Services	
120	Considering and disposing of applications for home industries and house cafes in terms of the Town Planning Scheme.		Manager Community Services	Provided that those cases which the Manager Corporate Services considers an application to be of a controversial nature or that it might have a significant impact on the surrounding community or where objections has been lodged by surrounding property owners shall be referred to the Executive Committee for decision
121	Allocating and re-allocating dates for street collections		Manager Corporate Services	Provided that a formal written application has been received
122	Issuing of certificates for the raising of property title conditions to bring it in line with the provisions of Council's Town Planning Schemes		Manager Community Services	
123	in the case of a new appointment, if such an employee has been obliged or decided to change his/her place of residence as a result of the appointment, granting permission for the payment of removal costs in respect of her/his movable property		Departmental head	In consultation with the Chief Financial Officer
124	Dismissing, with proper notice, any temporary employee, whether in a permanent or temporary post, if his/her services are no longer required		Manager Corporate Services	In consultation with the departmental head concerned
125	Deciding about the acceptance or not of a notice of termination of service received from an employee on a shorter period than the period set in the conditions of service of the employee		Manager Corporate Services	In consultation with the departmental head concerned
126	Extending the validity of the annual leave of an employee		Manager Corporate	In consultation with the departmental head concerned

Par	Power	Delegating authority	Delegated body	Conditions
			Services	
127	Considering and approving or rejecting applications for the re-sale of undeveloped residential stands		Manager Community Services	
128	Considering and approving or rejecting applications for performing of parachute jumps and hot-air ballooning within the Municipality		Manager Corporate Services	<ol style="list-style-type: none"> <li>1. In consultation with Manager Community and Emergency Services</li> <li>2. Provided that the applicant in writing indemnifies the Municipality, its officers and servants against any possible claims</li> <li>3. Provided further that the approval of the Department responsible for civil aviation also approves the application</li> </ol>
129	Considering and approving or rejecting applications for establishing and conducting merry-go-rounds and circuses		Manager Community Services	In consultation with the departmental head concerned
130	Considering and approving or rejecting applications for helicopter landings in places other than a designated airport or landing strip		Manager Corporate Services	Provided that the approval of the Department responsible for civil aviation also approves the application
131	Considering and approving or rejecting applications for the installation of telephones in the Council's buildings and rented housing schemes		Manager Corporate Services	
132	Taking the necessary steps after the Council has approved the initiation of expropriation procedures		Manager Corporate Services	
133	Formulating reversionary clauses and other applicable conditions of sale, where the Council disposes of land to religious bodies or charity organisations at a nominal amount		Manager Corporate Services	

Par	Power	Delegating authority	Delegated body	Conditions
134	Granting possession of land to the purchaser prior to the registration of transfer		Manager Community Services	Subject to – (a) the conditions of sale; (b) where the sale has already been approved; and (c) the necessary services have been delivered to the plot concerned
135	Conducting negotiations concerning the leasing of land or buildings to or by the Council and to conclude contracts for concerning the leasing of land or buildings to or by the Council		Manager Community Services	The contract must be approved by the Council before its conclusion
136	Managing, operation and maintenance of objects of historical value and interest, excluding statues and monuments, under the control of the Council		Manager Corporate Services	
137	Considering and approving or rejecting applications for the erection of advertising signs within road reserves and within five meters of the border of the legal width of a public road, on garbage containers and on bus shelters within the legal width of a public road.		Manager Community Services	In consultation with the Manager Technical Services and the Manager Community and Emergency Services
138	Issuing instructions for the removal or obliteration of illegal signs within road reserves and within five meters of the border of the legal width of a public road, on garbage containers and on bus shelters within the legal width of a public road		Manager Community Services	In consultation with the Manager Technical Services and the Manager Community and Emergency Services
139	Approving deletions from the valuation roll as a result of the demolition or destruction of buildings		Manager Corporate Services	In consultation with Manager Technical Services and the Chief Financial Officer
140	Enforcing contractual penalty clauses in the event of late delivery of goods or services to the Council		Municipal Manager	In consultation with the Chief Financial Officer
141	Considering and approving or rejecting an application to grant legal aid to an employee		Municipal Manager	
142	Considering and approving or rejecting applications for the installation of public telephone booths and post boxes in certain areas or streets		Manager Corporate Services	



Par	Power	Delegating authority	Delegated body	Conditions
143	Considering and approving or rejecting applications for the use of coat of arms, flag and banner of any city or municipality within the Municipality, for commemorative and other purposes		Municipal Manager	
144	Closing the Council's libraries and information bureaux on a temporary basis		Municipal Manager	
145	Issuing a certificate, in compliance with the requirements of the Free State Township Board, that an applicant who has applied for township establishment, has provided services to the satisfaction of the Council		Municipal Manager	
146	Waiving Council's rights in respect of servitudes		Municipal Manager	In consultation with the Manager Technical Services and the Manager Community Services
147	Deciding to confirm the permanent appointment of an employee who was appointed on probation or to extend the probation period in the light of the performance and competence of the appointee		Municipal Manager	In consultation with the departmental head concerned
148	Considering and approving or rejecting an application of an employee for specific permission to reside outside the municipal area		Municipal Manager	In consultation with the departmental head concerned
149	Considering and approving or rejecting an application of an employee for permission to pursue a paid side-line in his/her spare time		Municipal Manager	1. Provided that the granting of permission will not adversely affect the employee's work performance; and 2. In consultation with the departmental head concerned
	Considering and approving or rejecting applications from employees to retire due to reaching retirement age or due to ill health or injury		Municipal Manager	
150	To dismiss a permanent employee, excluding a manager directly accountable to the Municipal Manager due to – (a) the Municipality's operational requirements;		Municipal Manager	

Par	Power	Delegating authority	Delegated body	Conditions
	(b) the relevant employee's incapacity due to ill-health or injury; or (c) the relevant employee's poor work performance			
151	Authorising the payment of an acting allowance to an employee who acts in a higher position		Departmental head  In the case of a departmental head, the Municipal Manager	After consultation with the Municipal Manager
152	Ex officio attending all committee meetings		Municipal Manager	
153	Designating a person as responsible person for mining purposes		Municipal Manager	
154	Except where otherwise provided, administering, enforcing and implementing the Municipality's by-laws, including undertaking all prosecutions of transgressions of such by-laws as well as regulations, ordinances and acts and to keep such by-laws updated on a continuous basis.	Council	Municipal Manager	In consultation with departmental head concerned
155	Updating the bylaws of the Municipality when necessary		Manager Corporate Services	
156	Authorising the transportation of officials and Councillors with municipal vehicles to attend congresses, meetings, seminars and similar events		Municipal Manager	1. Employees who participate in any travelling allowance scheme of the Municipality or who, by virtue of her/his employment contract with the Municipality are required to provide a motor vehicle for the proper performance of her/his work, must travel with the vehicle he/she acquired

Par	Power	Delegating authority	Delegated body	Conditions
				under such scheme or in terms of such contract 2. May give approval for hire of vehicles where necessary
157	Approve the payment of all transfer and survey costs payable by the Municipality		Municipal Manager	
158	Making available the Municipality's property to promote the Municipality		Municipal Manager	Maximum of 10 days per year and on condition that preference be given to bookings by visitors
159	Approving the attendance by officials of training courses paid for by other institutions and to approve the following payments in respect of said training courses: (i) the normal travelling expenses; or (ii) the use of one of Council's vehicles to transport the trainees to and from the course.		Departmental head In the case of a departmental head, the Municipal Manager In the case of the Municipal Manager, the Mayor	
160	Collecting moneys owed to the Municipality in terms of a contract, legislation, court orders and decisions of the Council or any other legal basis		Chief Financial Officer	
161	Claiming from and making of payments to professional persons or firms		Chief Financial Officer	
162	Releasing funds in respect of capital items in terms of the approved capital budget		Chief Financial Officer	
163	Deducting money which an official owes the Municipality from forfeited salaries or wages		Chief Financial Officer	
164	the handling of requests from financial institutions for service delivery in respect of the payment of municipal accounts		Chief Financial Officer	
165	Administration, enforcement and implementation of the -		Chief Financial	

Par	Power	Delegating authority	Delegated body	Conditions
	(a) the dog regulations; (b) the regulations concerning financial matters; (c) the regulations relating to the municipal market; (d) the regulations relating to the municipal pension and gratuity fund; (e) the conditions of sale as set out in the contract concerned in all cases in where buyers of immovable property in the municipal area fail to meet their financial obligations with regard to the said conditions of sale;		Officer	
166	Utilising the rent reserve for payment of losses sustained in respect of leases		Chief Financial Officer	Provided that a motivated report is submitted for audit purposes in respect of each residential unit
167	Enforcing penalty clauses contained in contracts for the late delivery of goods and services		Chief Financial Officer	In consultation with the departmental head concerned
168	Considering and approving or rejecting applications from officials for housing subsidies/home owners/rent allowances		Manager Corporate Services	In consultation with the Chief Financial Officer
169	Managing reserve and renewal funds		Chief Financial Officer	
170	In cases where all reasonable efforts to recover debts owing to the Municipality have been made and were unsuccessful, writing off such debts as irrecoverable		Chief Financial Officer	1. To a maximum of R 500 per debtor 2. On condition that a report indicating the amounts written off, with reasons, are submitted to the Executive Committee within 10 working days after the end of each quarter
171	Managing the Municipality's insurance portfolio, and to administer all matters concerning the insurance of the Municipality's assets		Chief Financial Officer	

Par	Power	Delegating authority	Delegated body	Conditions
172	Considering and approving or rejecting applications from officials for the payment of pro rata bonuses	Municipal Manager	Manager Corporate Services	
173	Authorising professional service providers to appoint site staff to supervise contract works		Manager Technical Services	
174	Considering and approving or rejecting applications for leasing mobile toilet units to the public		Manager Technical Services	
175	Permitting private persons or organisations to perform work on Council property		Manager Technical Services	Provided that - (a) Such permission does not prejudice the Council's interests; and (b) the Council is indemnified in writing against any damages and claims which may arise or result from such activities
176	Granting permission for the excavation and removal of soil/gravel on municipall property at a tariff as determined by the Council from time to time, or at a standard tariff as determined by legislation, whichever is applicable		Manager Technical Services	
177	Adjusting tariffs contained in the contracts with professional service providers, in accordance with the applicable tariffs as published in the Government Gazette in terms of the legislation concerned		Manager Technical Services	
178	Enforcing penalty clauses in contracts for the late delivery of goods and services		Manager Technical Services	In consultation with the Chief Financial Officer
179	Entering into or onto and inspecting any site or premises and to question any person found on such a site or premises in respect of any matter which may be relevant at such a time		Manager Technical Services	
180	Considering and approving or rejecting applications for the provision of water from existing systems to outside the current		Manager Technical	

Par	Power	Delegating authority	Delegated body	Conditions
	water supply areas		Services	
181	Administering, enforcing and implementing the following bylaws noise control regulations which relate to the specific functions and activities of the Department Technical Services		Manager Technical Services	In consultation with the departmental heads concerned
182	Considering and approving or rejecting building plans		Manager Technical Services	
183	Administration, enforcement and implementation of the- (a) Electricity Act 1987 (41 of 1987) (b) sewerage regulations; (c) water supply regulations; (d) electricity regulations; (e) drainage regulations;		Manager Technical Services	
184	Allocating departmental residential units		Relevant departmental head	In consultation with the Manager Corporate Services
185	Considering and approving or rejecting applications from lessees of departmental housing to put up temporary or permanent boarders		Relevant departmental head	In consultation with the Manager Corporate Services
186	Considering and approving or rejecting applications from lessees of municipal housing to effect smaller changes, fixtures and improvements to the leased property		Relevant departmental head	In consultation with the Manager Corporate Services
187	Considering and approving or rejecting applications for the use servitude areas created for municipal purposes, for the erection of permanent or temporary structures		Manager Community Services	1. In consultation with the Manager Technical Services 2. Provided that such use of the servitude area does not prejudice the purpose for which the servitude was registered
188	Considering and approving or rejecting applications for the erection of a second residential unit on a stand or premises in terms of the Town Planning Schemes and other relevant legislation		Manager Community Services	
189	Considering and approving or rejecting applications for a		Manager	

Par	Power	Delegating authority	Delegated body	Conditions
	deviation or relaxation in terms of the National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977), except for a regulation concerning the strength and stability of buildings		Community Services	
190	Considering and approving or rejecting applications for relaxing height restrictions of buildings to a maximum structure height of 10 metres		Manager Community Services	
191	Considering and approving or rejecting applications for the demolition of private buildings		Manager Community Services	
192	Considering and approving or rejecting applications for the placement of non commercial notice boards on Council property, as well as restricting the number thereof		Manager Community Services	
193	Making recommendations to the relevant government departments in respect of the approval or rejection of applications to demolish or reconstruct houses		Manager Community Services	
194	Considering and approving or rejecting applications to relax street building lines in respect of single residential stands		Manager Community Services	In consultation with the Manager Corporate Services
195	Extending the electricity supply network, to make connections thereto in terms of the electricity supply regulations and to authorise repayments in connection therewith		Manager Technical Services	
196	Considering and approving or rejecting applications for permission to consumers to resell electricity		Manager Technical Services	On the conditions as contained in the electricity supply regulations
197	Providing assistance and training on <i>ad hoc</i> basis to other municipalities, private persons and organisations that are deemed necessary and essential, without prejudice to the training of the Council's own personnel		Relevant departmental head	In consultation with the Municipal Manager
198	Considering and approving or rejecting applications for waiving the condition whereby bulk users must provide land for a substation		Manager Technical Services	
199	Considering and approving or rejecting applications for encroachments on pavements and streets for		Manager Community	

Par	Power	Delegating authority	Delegated body	Conditions
	construction/maintenance work		Services	
200	Controlling two-way radio communications of the Council		Departmental heads	
201	Administering right of way/servitudes of electricity and post-office lines/cables that have to be installed under streets		Manager Technical Services	In consultation with the Manager Corporate Services
202	Ensuring and facilitating trigonometric and topographic survey of the municipal area		Manager Technical Services	
203	Taking the necessary steps to terminate encroachments of municipal land, or to facilitate the removal of such encroachments		Manager Community Services	
204	Considering and approving or rejecting applications for the selling and installation of easy readable house numbers		Manager Community Services	
205	Approval of construction works of the State, Telkom and Eskom		Manager Technical Services	
206	Authorising the erection and moving of street lights		Manager Technical Services	
207	To negotiate fees with the professional service providers as soon as possible after their appointment for projects relating to township services, i.e. roads, storm water, sewerage reticulation and water reticulation		Manager Technical Services	In consultation with the Municipal Manager
208	Considering and approving or rejecting applications for motor races, motorbike competitions and similar activities		Executive Committee	
209	Considering and approving or rejecting applications for the use of the municipal crest and slogan		Executive Committee	
210	Considering and disposing of matters relating to the operation and maintenance of any trust and provisions and reserve funds		Executive Committee	
211	Considering and approving or rejecting applications for the waiving of the prescribed tariff for the use of municipal facilities		Executive Committee	



Par	Power	Delegating authority	Delegated body	Conditions
	excluding where indicated otherwise in other delegations			
212	Exercising all powers conferred upon the Council by the Townships Ordinance, 1969 (No 9 of 1969) as well as various Town Planning Regulations, except for the approval of revisions to Town Planning Scheme Regulations, Framework Plans and the formulation of policies, strategies and guidelines relating to planning matters together with aspects which may have significant financial implications for the Council		Executive Committee	
213	Considering and approving or rejecting applications relating to all planning and property development matters		Executive Committee	
214	Considering and approving or rejecting applications to deviate in respect of levies in lieu of the under-provision of parking		Executive Committee	
215	Considering and approving or rejecting applications for the use of Council's water resources in emergencies		Executive Committee	
216	Appointing agents for the right to display/erect any advertisement-media		Executive Committee	
217	Approving the development of open spaces		Executive Committee	
218	Exercise the powers conferred upon the Council in terms of legislation regulating the operation of cemeteries		Executive Committee	
219	Consulting and collaborating with other health authorities in determining recommendations to Council regarding health policy and the rendering of health services		Executive Committee	
220	Considering and approving or rejecting applications for licenses referred to in Schedule 1, item 2 of the Business Act, 1991.		Executive Committee	
221	Considering and disposing of all matters relating to the administering of Council's housing schemes		Executive Committee	
222	Considering and disposing of all aspects relating to applications for housing, letting of municipal houses, contracts, negotiations with interest groups, suitability of housing projects, etc		Executive Committee	
223	Considering stock-loss reports following stock taking and writing off losses with a book value not exceeding R10,000 up		Executive Committee	

Par	Power	Delegating authority	Delegated body	Conditions
	to R5,000 per item			
224	Instituting legal action against any person arising from transgression of or non-compliance with any legislation (including Council's bylaws and Town Planning Schemes), conditions contained in servitudes in Council's favor, contracts to which the Municipality is a party, recovery of money owed to the Municipality (including money owed for delivering services). This power includes the defending of actions in this regard		Municipal Manager	If the legal costs will exceed or is estimated to be more than R30, 000 or the amount of any claim made against the Municipality exceeds R 200, 000 a report on the matter must be submitted to the Executive Committee
225	Authorising an official to sign documents relating to the institution or in defense of legal action		Municipal Manager	
226	Designating officials to attend meetings, conferences and similar events of professional institutes, medical aid schemes and retirement funds	Council	Municipal Manager	
227	Designating councillors and/or officials to attend meetings, conferences and similar events outside the Republic	Council	Speaker, in the case of councillors  Municipal Manager in the case of officials	
228	Designating councillors to attend meetings, conferences and similar events called by – (a) an organ of state in the national or provincial sphere of government, (b) SALGA (and its provincial affiliates and office-bearers), (c) SALGBC, including regional/provincial meetings of professional institutes and training events, and (d) Retirement funds and medical aid schemes	Council	Council	Provided: (a) Should there not be sufficient time to submit the matter to Council, but sufficient time is available to submit the matter to the Executive Committee, it must be submitted to said Committee, who shall have the power to dispose of the matter  (b) Should there not be

Par	Power	Delegating authority	Delegated body	Conditions
				<p>sufficient time to submit the matter to the Executive Committee, the power to nominate Councillors is delegated to the Speaker: Provided that the Speaker shall –</p> <ul style="list-style-type: none"> <li>(i) consult the Mayor and the Municipal Manager;</li> <li>(ii) give preference to members of standing committees; and</li> <li>(iii) Ensure that councillors rotate;</li> </ul> <p>(c) The relevant delegated body shall submit a report at the first council meeting next ensuing regarding the designation of councillors, which report shall reflect on-</p> <ul style="list-style-type: none"> <li>(i) the subject matter of the event</li> <li>(ii) body or person who extended the invitation;</li> <li>(iii) the councillor(s) delegated to attend;</li> <li>(iv) transport used to attend (e.g. council vehicle, private</li> </ul>

Par	Power	Delegating authority	Delegated body	Conditions
				vehicle, public transport); and (v) number of days over which the event took place
229	Designation of officials to attend meetings, conferences and similar events called by – (a) an organ of state in the national or provincial sphere of government, (b) SALGA (and its provincial affiliates, office-bearers and officials), (c) the SALGBC, and including regional/provincial meetings of professional institutes and training events	Council	Municipal Manager  In the case of the Municipal Manager, the Mayor	Provided that, if the event is scheduled to last more than 2 consecutive days, the Municipal Manager shall submit a report to the Executive Committee for its information.
230	Authorisation of officials to undertake journeys outside the Municipality for the performance of official functions	Council	Municipal Manager	After consultation with the relevant departmental head
231	Authorisation of officials to participate, at the Municipality's cost, in working groups of SALGA (and its provincial affiliates), the SALGBC and a professional institute of which such an official is a member	Council	Relevant departmental head  In the case of departmental heads, the Municipal Manager  In the case of the Municipal Manager, the Mayor	Subject to the operational requirements of the relevant department and the Municipality
232	Designating - (a) a building control officer in terms of section 5 of the	Council	None	

Par	Power	Delegating authority	Delegated body	Conditions
	National Building regulations and Building Standards Act 1977; and  (b) a Fire Chief in terms of section 5(1) of the Fire Brigade Services Act 1987			
233	Introducing and lifting of water restrictions and the imposition of penalties for excess use during such restrictions	Council	None	
234	Approving in principle of projects, with a view to the provision of funds on the capital budget	Council	None	
235	Evaluating councillors' performance with regard to their duties	Council	Speaker	
236	Responsible for public participation/ward committees	Council	Speaker	
237	Chairing the Rules Committee, which interpret and evaluate the rules and orders of the Council	Council	Speaker	
238	Appending his/her signature to the agenda of Council meetings before distribution	Council	Speaker	
239	Responsible for councillors' support services, including the remuneration, allowances and benefits of councillors	Council	Speaker	
240	Prepare an annual report to Council about the activities of the Council and Speaker's Office	Council	Speaker	
241	Ensuring support for and building the capacity of councillors, which may include holding training programmes and workshops for which Council should budget	Council	Speaker	
242	Allocating PR councillors to particular areas within the municipality in order to ensure that all councillors are accountable to local communities	Council	Speaker	
243	Sitting on all committees of the Council as ex officio member in order to familiarize him/herself with all the activities of Council;	Council	Speaker	
244	Monitoring whether the constitutional obligation of public participation and consultation as required and in general has been complied with	Council	Speaker	